Egalitarianism, Perfectionism & Support for the Arts

CHRISTOPHER.K. GOMERSALL

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Abstract

This dissertation is oriented around two moral ideals. The first is equality and the second perfection or excellence. In the chapter 2 I review some of the literature on the seemingly devastating 'Levelling Down Objection' to equality. I am in agreement with Larry Temkin that the Levelling Down Objection is true only if we believe that 'person-affecting' value, more specifically, welfare, is the only thing that matters in the moral universe. Hence, the Levelling down objeciton is premised on the truth of an undefended, highly contentious monism about value The purpose for introducing the Levelling Down Objection in chapter 1 is made clear in chapter 3, where I suggest a new problem for egalitarians. Equality is a comparative relation holding between people. Relations are not properties, and, since it is widely assumed that value supervenes exclusively on properties, we need to show how a relation could be of value. It is crucial to be able say how this could be the case. However, this issue has, to the best of my knowledge, not been addressed in the literature on equality. If we cannot answer this quesiton then the value of the equality relation must reduce to the value of its relata. I try to offer a framework which at least goes as far as demonstrating that this need not be true. Chapters 4 and 5 deal with the value of perfection. I offer a careful reading of the work of an important defender and an important critic of this ideal, the former being Immanuel Kant and the latter being Jean-Jacques Rousseau. The aim of these two chapters is twofold; firstly, I show that the value of perfection consists in the development and cultivation of our capacities for rationality. Secondly I show how perfectionism illuminates the importance of culture and the arts. In the final chapter I bring the insights of this dissertation together in order to address a practical question; whether there are egalitarian reasons to support the arts.

Contents

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1.

Introduction

1.1.

This thesis is a contribution to egalitarian moral thought, and an application of some of that thought to the domain of culture and the arts. In Chapters 1 and 2 I shall be dealing with some important problems concerning the value of equality at a rather high-altitude. In Chapter 5 I

offer a framework for thinking about how we might apply egalitarianism to the question of culture and the arts. In Chapter 1, I shall review the current literature on an old, yet persistant problem for egalitarianism, in Chapter 2 I will attempt to set out, what I suggest is a new problem. This new problem, I believe, is an extension of the old one. Thus the crucial question of the first two chapters is how equality, understood as a comparative relation between people, is valuable. This question demands an answer before we can proceed to the applied side of the study. In Chapter 4 we shall show via Kant that perfectionism understood in terms of the development of the essential capacities for rationality, gives us strong reasons to favour, promote, or, otherwise lend our support to, culture and arts. I shall consider whether egalitarians should be opposed to these reasons. However, while for example, Rawlsians have long opposed the promotion of the arts due to Rawls's original argument that support for the arts contributes neither directly or indirectly to the social conditions that secure the equal liberties, nor to the advancement, in an appropriate way, of the long-term interests of the least advantaged.[1] And prioritarians have reasons to oppose support for the arts on grounds of failing to promote a higher sum total of priority weighted utility[2] to the best of my knowledge there are, to date, no applications of egalitarian thought to the question of culture and the arts.[3] This may be because what it is that egalitarians are concerned to equalize people in, is welfare, and perfection or excellence, is, on most accounts, not thought to be a welfarist good.[4] Secondly this might be because many applied studies of egalitarian

[1] John Rawls *A Theory of Justice* Revised Edition Cambridge, MA: Harvard University Press, 1999 p.292.
[2] See for example Peter Singer *The Most Good You Can Do,* New Haven and London Yale University Press pp.120-125
[3] The closest exceptions to this statement are Stephen Lecce 'Should Egalitarians be Perfectionists'? *Politics* 25, no. 3 (2005): pp.127–34 and, despite his endorsement of perfectionism in earlier work (see n.44 below), Richard Arneson 'Opportunity for Welfare, Priority, and Public Policy' in Steven Cullenberg and Prasanta K. Pattanaik, eds., *Globalization, Culture, and the Limits of the Market: Essays in Economics and Philosophy*, New Delhi: Oxford University Press, 2004, pp.177-214.
[4] See Hurka 1996 pp.17-18. See also Dale Dorsey 'Three Arguments for Perfectionism' *Nous* 2010, 44:59-79.

theory have been conducted in the arguably more pressing domains of healthcare[5] and education.[6] In this study I hold a view about equality as comparative fairness, and so the central practical question I seek to answer is whether there are reasons of comparative *fairness* to favour or disfavour support for the arts. And relatedly, in what sense do perfectionism and egalitarianism diverge on the matter of culture. Although a contemporary application of egalitarian thought to the question of culture has not, to date, been forthcoming[7], one crucially important forebear of contemporary egalitarianism, Jean-Jacques Rousseau had much to say on this very topic. In Chapter 4 I shall reconstruct several of Rousseau's arguments against support for culture and the arts. Rousseau is committed to version of equality as comparative justice and it is therefore for reasons of *justice*, he contends, that we should object to the support for culture and the arts. Now, one writer who *is* sensitive to the question of culture is Thomas Nagel. As he writes, "a society which supports creative achievement and encourages maximum levels of excellence will have to accept and exploit stratification and hierarchy."[8] And he gives three reasons in support of his claim that the promotion of cultural and artistic excellence would be "strongly anti-egalitarian".[9] Firstly, he argues this will be so because talents for creative excellence are unequal, secondly, because these abilities also, in part, are the result of cultural education transmitted informally through the family, and, finally, because the motivation to pursue great achievements in culture and the arts also owes much to family influence.[10] Nagel might very well owe a debt to Rousseau here, since, as we will see in Chapter 4, Rousseau was the first writer to present

[5] See for instance Nir Eyal Samia A. Hurst, Ole F. Norheim, Dan Wikler (eds.), *Inequalities in Health: Concepts, Measures, and Ethics* (Oxford University Press) 2013

[6] See for example, Harry Brighouse and Adam Swift 'Putting Educational Equality in its Place.' *Educational Policy and Finance* 3, no.4, 2008, pp.444-66 and Harry Brighouse, Kenneth. R. Howe and James Tooley *Educational Equality,* Bloomsbury, 2010.

[7] Note that I am not claiming that it has not been noticed that certain kinds of perfectionism have strongly 'elitist' implications. All the main proponents of perfectionism are aware of this fact.

[8] Nagel, *Equality and Partiality,* Oxford University Press 1991, p.132.

[9] Nagel 1991,Ibid.

[10] Nagel 1991,Ibid.

these very same ideas in a case against support for the arts. In his *First Discourse on the Arts and Sciences* he rails against "The disastrous inequality introduced among men by the distinction of talents and the debasement of virtue."[11] Rousseau believes that it is objectionable that some should fare better than others on the basis of their possessing superior talents and abilities, including artistic or cultural abilities. He believes that such abilities are the product of luck. As he puts it; "we are born with our talents, only our virtues belong to us."[12] Hence he condemns as unjust, a situation where the less virtuous fare better than the more virtuous. Rousseau's arguments are, I believe, are crucial to our understanding of the costs of inequality which must be weighed against reasons in favour of the promotion of cultural and artistic excellence.

1.2 Egalitarianisms

Let me now say a little about the current literature on egalitarianism. All egalitarians, insofar as they *are* egalitarians defend the view the there is something normatively significant about a comparative relation between persons. Yet insofar as they share a common view that is about as far as many egalitarians are prepared to go. Due to Elizabeth Anderson[13] and David Miller[14] there are, at least, two important yet quite distinct, strands in contemporary egalitarian thought.[15] On the one hand, Anderson and Miller, along with Carina Fourie,[16] Martin O'Neill,[17] Thomas Scanlon,[18] and Samuel Scheffler[19] defend a view that has come to

[11] Jean-Jacques Rousseau The Discourse on the Arts and Sciences. in *The Discourses and Other Early Political Writings*, ed. Victor Gourevitch. Cambridge: Cambridge University Press, 1997. p.23.
[12] Jean-Jacques Rousseau Preface to Narcissus in *The Discourses and Other Early Political Writings*, ed. Victor Gourevitch. Cambridge: Cambridge University Press, 1997. p.98.
[13] Elizabeth Anderson 'What Is the Point of Equality?' *Ethics* Vol. 109, No. 2 1999, pp. 287-337
[14] David Miller, 'Equality and Justice,' in his *Principles of Social Justice*, Cambridge, Mass.: Harvard University Press, 1999, and David Miller 'Complex Equality' in David Miller and Michael Walzer (eds) *Pluralism, Justice and Equality*, Oxford: Oxford University Press, pp. 197-225
[15] For a third view see Kok-Chor Tan *Justice, Institutions, and Luck: The Site, Ground, and Scope of Equality*, Oxford University Press 2012.
[16] Carina Fourie 'What is Social Equality? An Analysis of Status Equality as a Strongly Egalitarian Ideal' *Res Publica* 18 (2):107-126, 2012
[17] Martin O'Neill 'What Should Egalitarians Believe?', *Philosophy and Public Affairs* 36 (2):119-156, 2008.

be known as 'social relations egalitarianism.'[20] As Jonathan Wolff explains[21] the central idea of social relations egalitarianism is that, in order for us to bring about a society of equals we have to create the conditions of mutual respect and self-respect, and this task entails reducing or eliminating certain oppressive and hierarchical divisions which deny some individuals and/or groups the recognition and respect they are owed as full and participating members of society. This view has strong affinities with the work of 'difference' theorists such as Iris Marion Young,[22] and with the work of Nancy Fraser[23] and Axel Honneth[24] on 'recognition.'[25] These views connect to a much older tradition of thought expressed in the following passage by John Milton; "they who are greatest... are not elevated above their brethren; live soberly in their families, walk the streets as other men, may be spoken to freely, familiarly, friendly, without adoration."[26] I cannot give any kind of detailed analysis of these views here but let me simply note that each of the differing social egalitarian views converges on the idea of a society of equals in which people stand in certain kinds of relations to one another characterized by the absence of hierarchy, oppression, domination, and exploitation.[27]

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[18] Thomas Scanlon 'When Does Equality Matter?' (Paper presented at a conference on equality at John. F. Kennedy School of Government, Cambridge, MA, 2004) accessed 1st March 2015, http://www.law.nyu.edu/sites/default/files/upload_documents/Lecture%201%20revised%20October%202014.pdf

[19] Samuel Scheffler What Is Egalitarianism?" Philosophy & Public Affairs 3, 5-39, 2003

[20] Kaspar Lippert-Rasmussen *Luck Egalitarianism* Bloomsbury ,2015, Chpt.7

[21] Jonathan Wolff 'Equality: The recent history of an idea', *Journal of Moral Philosophy* , 4 (1) 2007, pp.125 - 136.

[22] Iris Marion Young 'Five Faces of Oppression' in *Justice and the Politics of Difference*, Princeton University Press, 1990, pp. 39-65.

[23] Nancy Fraser *Scales of Justice: Reimagining Political Space in a Globalizing World* Columbia University Press 2010, see ch. 3. Fraser develops a 'status model' of recognition in her 'Rethinking Recognition' *New Left Review* 3:, 2000, pp.107-120, cf. David Miller 2010, and Carina Fourie, 'To Praise and to Scorn: The Problem of Inequalities of Esteem for Social Egalitarianism' in Carina Fourie, Fabian Schuppert, Ivo Wallimann-Helmer (eds) *Social Equality: On what it Means to be Equals,* Oxford University Press, 2015, pp.87-107.

[24] Axel Honneth *The Struggle for Recognition: The Moral Grammar of Social Conflicts* MIT Press, 1996, see especially ch.7-8

[25] See Nancy Fraser and Axel Honneth *Redistribution Or Recognition?: A Political-philosophical Exchange* Verso Books, 2003

[26] J ohn Milton, *Complete Prose Works of John Milton*, vols 1–8,Yale University Press 1953–82, pp. 424–25

[27] See Wolff, 2007.

O'Neill and Scanlon have made what are perhaps the most important contributions to our thinking about some of the differences between social relations and (what used to be known as) 'luck' egalitarian views. These writers conceive of equality as an important facet of that part of morality that is concerned with what we owe to each other.[28] Roughly social relations egalitarianism says that substantive equality in one or another dimension (i.e., welfare, or, resources) is desirable only when and because it is necessary to promote, or secure, other important values that are *themselves* egalitarian. As we have seen, O'Neill and Scanlon argue that these other values, are (but not limited to) (i) equality of social status, or, standing and (ii) non-domination.[29] This view is often contrasted with another view known as 'luck'[30] egalitarianism. Luck egalitarianism was originally pioneered by, among others, Arneson,[31] Dworkin,[32] Cohen,[33]and Temkin.[34] This brand of egalitarianism is distinct from the social-relations view principally because it does not conceive of equality as part of the morality of what we owe to each other.[35] Rather these egalitarians believe that it is bad because unfair or unjust that some fare worse than others through no fault or choice of their own. This type of egalitarianism is not motivated, I claim,[36] merely out of a narrow concern to mitigate the effects of luck on people's lives, as many of its proponents and detractors have thought, but

[28] T.M Scanlon *What We Owe To Each Other* Cambridge, Mass: Belknap, Harvard University Press, 1998.
[29] O'Neill (2008) 121-22, Scanlon (ibid), see also Phillip Pettit (2012) on the idea of non-domination.
[30] The name was originally coined by Anderson, 1999, and as a pejorative.
[31] Richard Arneson 'Equality and Equal Opportunity for Welfare,' *Philosophical Studies* 56: 77-93, 1989, 'Luck Egalitarianism and Prioritarianism' *Ethics*, 110, No. 2, 2000, 'Luck and Equality', *Proceedings of Aristotelian Society*, 75: 73–90, 2001, 'Luck Egalitarianism: An Interpretation and Defense' *Philosophical Topics*, 32: 1–20, 2006.
[32] Ronald Dworkin *Sovereign Virtue* Cambridge MA: Harvard University Press, 2000.
[33] G.A Cohen 'On the Currency of Egalitarian Justice', *Ethics* 99, pp. 906–944 1989*,* 'Where the action is: On the site of distributive justice' *Philosophy and Public Affairs,* Vol. 26, No.1, 1997, pp. 3-30. *If You're an Egalitarian, How Come You're So Rich?,* Cambridge: MA: Harvard University Press 2000, *Rescuing Justice and Equality*, Cambridge and London, Harvard University Press. 2008
[34] Larry Temkin *Inequality* Oxford University Press, 1993.
[35] Though see Peter Vallentyne 'Justice, Interpersonal Morality, and Luck Egalitarianism' in Alexander Kaufman (Ed.) *Distributive Justice and Access to Advantage: G. A. Cohen's Egalitarianism,* Cambridge: Cambridge University Press, 2015, pp. 40-49 for a view about how luck egalitarianism might be conjoined with interpersonal morality.
[36] See also Cohen 2008 and Temkin 1993, and Larry Temkin 'Justice, Equality, Fairness, Desert, Rights, Free Will, Responsibility, and Luck,' in Carl Knight and Zofia Stemplowska (Eds) *Distributive Justice and Responsibility,* pp. 51-76, Oxford University Press, 2011.

rather, it is a part of a morality concerned with how people fare in comparison to others, and it is centrally concerned with a comparative notions of fairness and justice. These egalitarians believe for example, that it is in itself bad that some are people are born blind while others are not, or, that a child in Chad is born with much worse life prospects than her European counterparts.[37] As I have mentioned, both of these views constitute genuine egalitarian positions insofar as both views are concerned with a comparative relation between people. But when it is asked why equality matters the two views diverge. Thus more specifically, the two views diverge in terms of the reasons they each hold with respect to why inequality is disvaluable. Comparative fairness egalitarians believe that it is in itself bad because *unfair or unjust* that some people *fare* worse than others due to bad luck. Social relations egalitarians deny this claim. They believe that how people fare relative to one another only matters if and because it undermines other values. Comparative fairness egalitarianism is often described as a telic egalitarianism - this is correct. However it would be incorrect to assume that social relations egalitarianism is a species of deontic egalitarianism. This taxonomy was originally suggested by Derek Parfit.[38] However, I agree with Martin O'Neill[39] that Parfit's taxonomy is unhelpful because mistaken in capturing the distinction between these two positions. According to Parfit[40], deontic egalitarians believe that *natural* inequalities are not morally significant; and hence these inequalities do not call for rectification. Secondly deontic egalitarians are committed to the view that inequalities are bad only when and because they

[37] Temkin 2015.
[38] Derek Parfit 'Equality or Priority'in *The Ideal of Equality*, ed. Matthew Clayton and Andrew Williams, Basingstoke: Palgrave Macmillan, 2000, pp. 81–125.
[39] O'Neill 2008
[40] Parfit 2000, for views about 'deontic' egalitarianism that are distinct from Parfit's, see Kaspar Lippert-Rasmussen, 'The Insignificance of the Distinction between Telic and Deontic Egalitarianism' in Nils Holtug & Kasper Lippert-Rasmussen (eds.), *Egalitarianism: New Essays on the Nature and Value of Equality*. Clarendon Press 2006, pp101-125, see also Michael Otsuka and Alex Voorhoeve 'Why It Matters That Some Are Worse Off Than Others: An Argument against the Priority View' *Philosophy and Public Affairs* 37: 171–199, 2009 Bertil Tungodden and Peter Vallentyne 'Person-Affecting Paretian Egalitarianism with Variable Population Size', in John Roemer and Kotaro Suzumura (Eds) *Intergenerational Equity and Sustainability*, Palgrave Publishers Ltd., 2006, ch. 6

are wrong, such as, for example, when one person gains advantage over another at that persons expense, for example, by harming or exploiting him. Hence on this construal, deontic egalitarians are not concerned with the badness or disvalue of inequality *per se*, but with inequalities that result from wrongdoing. Thus the deontic view can be reduced to a concern with wrongdoing. Since its concern for inequality is entirely captured by a concern with wrongdoing, it is doubtful therefore whether deontic egalitarianism really is an egalitarian view. According to Parfit, telic egalitarians, on the other hand, believe that inequality is bad whatever its cause. However, this is patently incorrect, no telic egalitarian believes that *all* inequalities are bad, for that would commit her to the view that inequalities, say, between 'freckled' and the 'unfreckled' people, or between insects and mammals, are bad. Both social relations egalitarians and luck egalitarians reject the view that all inequalities are bad. Rather, both of these views are committed to the thought that only inequalities of some normatively significant kind are bad, and thus ought to be reduced or eliminated. So in this sense, both views qualify as 'telic'. However it is then suggested that social relations egalitarians differ from their luck egalitarian counterparts because they want to add the claim that it is bad *for other reasons* that, for example, some are born blind and others sighted, or that some are born with greater capacities and talents and others with less. But this does not get us very far. Properly understood, comparative fairness egalitarians do not hold that luck is bad, *per se,*[41] neither do they hold that luck *explains* why inequality *is* bad, rather they hold that inequalities that are the result of luck *are* bad only when and because luck disrupts comparative *fairness* between people. Thus alongside Cohen and Temkin, I claim that it is a concern with fairness or justice that explains why inequalities that result from luck are bad. Egalitarians of my stripe will therefore be opposed to luck only when it results in comparative unfairness or

[41] At least not on the view of two of its most important defenders. For example, G.A Cohen 2000, pp.158-159 holds that inequalities are bad only when and because they are unjust. While Temkin 2015 (and I) hold that inequalities that are the result of luck are bad only when and because they are unfair.

injustice. Social relations egalitarians also hold that luck is not in itself bad, but rather that inequalities that are the result of luck are bad only when and because they lead to diminished social status or to relations of political and economic domination between persons. This view holds that, while it is not in itself bad that some born blind or disabled and others are not, it is bad for a blind or disabled person to be treated as a 'second class' citizen in the sense in which they suffer disrespect on the part of their fellows, or, that they enjoy less of the basic economic and political rights, freedoms and opportunities than other citizens.[42] Thus the two views diverge in the following sense. The social relations view is a rejection of the view which says that what is disvaluable about inequality can be explained on the basis of '*faring* better or worse than others'. As O'Neill writes "the [luck egalitarian] ideal of equality can seem unduly obscure and abstract: as a merely arithmetic goal, the value of which is impossible to grasp. It is difficult to understand the great badness of inequality, and the moral urgency of its eradication."[43] Hence the clue to the divergence between the two views lies in the name. What the social relations view rejects is the idea that inequality could be *impersonally* bad. For example, suppose that you and I are washed up on two separate desert islands and we are completely unaware of each other's respective situations. Suppose that, on my island, I am at (50) units of welfare, and you, on your island are at (100), both of us fare quite well, though neither of us lives in paradise. Further suppose that you fare better than I, simply due to your having better talents for catching fish than I do. Since I do not suffer the harm of disrespect, or, diminished social status in relation to you; we are, as mentioned, totally unaware of each other's existence, and since you do not use your greater talents and abilities to exploit or dominate me, the social relations view would have to say that there is *nothing* bad about this situation, precisely because there is no *social relation* between us that is impared by my faring worse off than you. The comparative fairness egalitarian on the other

[42] See John Rawls *Justice as Fairness a Restatement* Cambridge, MA: Harvard University Press, 2001, p.44
[43] O'Neill 2008, 124

hand would say that this situation *is* bad, despite not being bad for anyone. But now suppose, some event occurs - perhaps perchance we respectively discover telescopes on our islands - where we became aware of one another's existence. Suppose you send me mocking messages-in-a-bottle, regaling me with stories about your superior fish stocks, and that consequently, I feel a deep sense of shame at my inferior fishing ability. The social relations view would now say that because this is a case of unequal respect or standing, and because this is a personal bad, the inequality has become objectionable. I find this view implausible for two reasons. Firstly, as I shall show in Chapter 1, I disagree with the idea that the only inequalities that could matter are those that are personally bad *for* individuals. This claim could be embraced by non, and anti-egalitarians alike. Secondly, whilst the social relations view does give a plausible account of the personal bad of inequality, and equally plausibility inequality *is* sometimes a personal bad, the social relations view says that we ought to disfavour inequalities only when and because they do result in something personally bad, in the sense of diminished status, disrespect, domination, or exploitation, and I think this view runs the risk of reducing to the badness of one of some conjunction of the above. That is, I agree that it is plausible that inequality is often the cause of the above list of bads, but I do not think that the badness of inequality should be explained in terms of these bads. Finally, because the social relations view is only weakly concerned for how people fare relative to one another, it leads to the rather odd position that Elizabeth Anderson[44] has argued for, namely that the social relations view need not be in the business of recommending *equalizing* people in anything at all. If the goal of social relations egalitarianism is equal enjoyment of social status and respect, and of the various political rights and liberties, then this might be achieved merely by ensuring that each person has a 'sufficient'[45] amount of resources or

[44] Anderson 1999, and Anderson 'Fair opportunity in education: a democratic equality perspective' *Ethics* - Symposium on Education and Equality,117 (4) pp. 595–622.
[45] Roger Crisp 'Equality, Priority, and Compassion' *Ethics* 113, 2003 pp.745–63, and Crisp 'Egalitarianism and Compassion' *Ethics* 114, 2003 pp.19–26. The classic 'sufficientarian' text is Harry Frankfurt "Equality as a Moral

welfare required so that she is able to function as a social equal amongst equals. When sufficiency for all is achieved we need not worry that some people's lives go vastly better than others just so long as no one suffers from disrespect or diminished status. So while by no means a conclusive *argument* for either one of these two egalitarian views, for at least the above reasons, the view I defend in this dissertation is a view about equality as *comparative fairness*.

1.3. Defending egalitarianism and a new insight.

I argue in Chapter 2, the normative import of this view has not yet been fully explored. In particular neither of its main proponents G.A. Cohen or Larry Temkin have offered an answer as to how a relation could be valuable in *itself*. Unless we can show how a relation between persons could be valuable, there is a danger that the comparative fairness egalitarian is open to the objection that the value of equality reduces to the value of something else. This is a question I turn to in Chapter 2. In Chapter 1 however, I have to confront the so-called "levelling down" objection to egalitarianism. This has to be confronted because it has been thought to be utterly devastating to egalitarianism, so before we can continue to make claims on behalf of egalitarianism it must be shown that the levelling-down objection is not so devastating at all. Egalitarians hold that, an outcome is made, in *one* respect better if inequality is reduced or eliminated, even if this does not involve making the worse off better off, but only involves bringing the better off down to the level of worse off. Non-egalitarians argue that in no respect is an outcome normatively improved by levelling down some and in no respect is an outcome worsened merely by raising up some, Since levelling down would undeniably decrease inequality, yet it would render no one better off, while raising up would undeniably increase inequality yet it would make some better off, equality cannot improve an

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Ideal," *Ethics* 98, 1987, pp.21–43. For criticism see Paula Casel 'Why Sufficiency is not Enough' *Ethics* 117, 2007 pp.296–326

outcome in any respect so egalitarianism must be rejected. As Larry Temkin[46] has demonstrated objections to levelling down must depend on an appeal to a person-affecting restriction on the moral value of outcomes, which he dubs the Slogan. The Slogan says that a situation or outcome cannot be worse (or better) than another in *any* respect if there is no one for whom it *is* worse (or better) in any respect. Now after showing how the Slogan has to be adapted in order that it is not totally implausible, I then suggest that if true, this adapted or Revised Slogan (RS) is strong enough to rule out equality as being in any respect valuable. I then canvass some egalitarian responses to levelling down and find them unsatisfactory. One important view argues that to avoid levelling-down objections, we should reconceive equality, not as a value *as such,* but rather as a factor which adjusts another, intrinsic value, up or down. This view is compatible with RS since it takes wellbeing to that intrinsic value, and moreover, the only moral value in the universe, and it then says that an equal distribution of welfare can be better than an unequal one, but a distribution with a lower sum total of welfare can *never* be better in any respect, than an alternate distribution with a higher sum total of welfare. I show that while this view avoids the levelling down objection, it does so by eviscerating the value of the equality *relation*. I conclude by showing that there is a simple inductive argument for why the RS does not work and the levelling down objection must fail.

I believe that it is a misunderstanding of the value of equality to conceive of egalitarianism as a welfarist view. This misunderstanding rests on the assumption that, since egalitarianism takes welfare to be the good it wants to equalize people in, the value of equality must *reduce* in part at least to the value of welfare. Since, how could it be that a relation between people is valuable in itself? Surely, we value inequality because we want the worse-off to be as well off as all those better off than they? Just as we value the freedom relation because we value

[46] Temkin 1996, and Temkin 'Harmful Goods, Harmless Bads' in R.G Frey and Christopher Morris (Eds) *Value, Welfare, and Morality*, Cambridge University Press, 1993, pp. 290-324, Temkin 'Equality, Priority, and the Levelling Down Objection,' in Matthew Clayton and Andrew Williams (Eds) *The Ideal of Equality*, Macmillan and St. Martin's Press, 2000, pp. 126-161,

the ability to do X. This view says that inequality only matters in a certain respect, and moreover that we should only be concerned with eliminating inequality in a certain way i.e. by benefiting the worse off. However, due to the levelling down objection, it was shown that egalitarians must in fact believe that equality could matter even in the absence of any increase in the welfare of the worse-off. I agree. They must therefore believe that there is something good about a comparatively fair relation between people even if this was the result of 'levelling down' the better off to the level of the worst-off. I also agree. Egalitarians should believe this. There is *some* value in this state of affairs then. But in any case, no single value can plausibly account for *all* that matters. We might have a reason to favour a levelled outcome over an unlevelled one, but this is quite compatible with such reasons being outweighed by other important considerations *one* of which might be the sum total welfare. As Ross teaches us, when one reason is outweighed by another, this does not mean that that reason is thereby nullified or obliterated.[47] The levelling down objection was supposed to prove conclusively that egalitarianism should be rejected. Not only do I show that it has failed to do so, but moreover, (and despite the fact that many egalitarians have felt the force of the levelling down objection and have been led to question whether they really were egalitarians rather than, say, Rawlsians or prioritarians who want to ensure the worst-off were as well off as possible),[48] the levelling down objection can actually help clarify the basic normative concern of egalitarianism. Egalitarianism is, I claim, not any sort of welfarist view. Rather it is one aspect of that part of morality that is concerned with how people fare relative to one another. And the reasons that explain why we should care about how people fare relative to one another are reasons of fairness and justice.[49] In Chapter 2, I show that a new

[47] W.D Ross, Phillip Stratton-Lake (Ed) *The Right and the Good* Oxford University Press 2002, p.28

[48] Richard Arneson for example, was one prominent 'luck' egalitarian who felt the force of levelling down and has subsequently rejected egalitarianism.

[49] Comparative justice is a view held originally by Aristotle, Terrance Irwin (Trans) *Nicomachean Ethics* 2nd Edition Hackett 1999, St Thomas Aquinas *Summa Theologica*, Translated by the Fathers of the English Dominican Province. 4 vols. Westminster, MD: Christian Classics, 1981and later Rousseau *The Discourses and*

objection which is independent of, but closely related to, levelling down can be lobbed towards egalitarianism. This is the objection from the metaethical assumption that that value of some thing, X supervenes exclusively on the intrinsic properties of that X.[50] Since equality is a comparative relation, and relations are not properties, it is unclear what could be valuable about a relation. The value of equality must then reduce to its relata. Since one of the relata of the equality relation is welfare, the value of equality reduces to the value of welfare. And thus equality cannot be valuable in itself. I show in this chapter that this need not be the case.

1.4. Perfectionism

The second central idea of this dissertation concerns perfectionism. Why do I introduce this new idea? In what sense do I introduce it? And what is the purpose of my doing so? Firstly this is a dissertation about equality, and my aim is to explore perfectionism from the perspective of equality, more specifically, and I aim to show how the two views sometimes, and in important senses, diverge. Even more specifically, my aim is to show that perfectionism and egalitarianism disagree over the practical question of support for artists. Secondly, it should be pointed out that, while I spend some time in chapters 3 and 5, speaking of perfectionism as an important moral ideal in its own right, and some more time trying to say in what, exactly, perfectionism consists, my aim is to consider first of all, how and why, the arts, the humanities and the sciences, or otherwise; 'culture and the arts', are themselves an important source of perfectionist value. I suggest that this latter task will be dependent on the former. That is, we must be able to grasp why perfectionism is valuable, before we can

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Other Early Political Writings, ed. Victor Gourevitch. Cambridge: Cambridge University Press, 1997. Contemporary proponents include Shelly Kagan 'Equality and Desert' in Louis Pojman and Owen McLeod (Eds) *What Do We Deserve? A Reader on Justice and Desert* New York: Oxford University Press 1999, pp. 289-314 and Kagan *The Geometry of Desert* Oxford University Press, 2012, Thomas Hurka 'Desert Individualistic and Holistic' in his Drawing Morals Oxford University Press 2011, see also Serena Olsaretti *Liberty, Desert and the Market: A Philosophical Study* Cambridge University Press, 2004, p37 n54.

[50] Noah Lemos, *Intrinsic Value: Concept and Warrant* Cambridge*:* Cambridge University Press, 1994, G.E. Moore *'The Conception of Intrinsic Value',* in his *Philosophical Papers,* Cambridge: Cambridge University Press, 1922, Moore, 'Reply to My Critics' in Paul A. Schilpp, (Ed.) *The Philosophy of G. E. Moore,* Northwestern University Press, Evanston ILL. Michael J. Zimmerman *The Nature of Intrinsic Value* Rowman & Littlefield 2001.

say how and why particular perfectionist goods are valuable. Secondly, if equality is the main focus of the thesis, however, as I clearly state in Chapter 1, equality is *not* the only value that matters in the moral universe. One other value that matters in addition to equality, and welfare, is I believe perfectionism. On any plausible value theory each of these values must be assigned some weight in assessing states of affairs. Thus in order to arrive at a judgment about which outcome would be all things considered best, we must offer some plausible weighting scheme which takes all the relevant values into account and is able to consistently and coherently arrive at plausible all things considered judgments. It is beyond the scope of this dissertation to offer anything even resembling a suggestion as to how this could be done, since, as Larry Temkin has recently shown,[51] arriving at a plausible view about what all things considered value might look like is certainly among the most difficult and pressing problems in all of practical philosophy. So suffice it to say that when I speak about the value of an outcome 'from the perspective of' equality or perfection, this should be taken to imply the value a state of affairs or outcome has on the basis of the value of a single moral ideal. Thus, it does not simply an all things considered judgement.

I believe that the most important reasons for why culture and the arts matter are perfectionist reasons.[52] Perfectionism is a doctrine which says that what is intrinsically valuable is the development of the powers and capacities which make us the kinds of beings we essentially are. And the capacity which it identifies as being essential to the human species is the capacity for rationality.[53] Secondly as indicated by its name, perfectionism is a maximizing

[51] Larry Temkin *Rethinking the Good: Moral Ideals and the Nature of Practical Reasoning* Oxford University Press 2012

[52] Richard Arneson 'Perfectionism and Politics', *Ethics* 111 (1): 37-63 2000, Veronique Munoz-Darde 'In the Face of Austerity: The Puzzle of Museums and Universities' *The Journal of Political Philosophy*: Volume 21, Number 2, 2013, pp. 221–242, Amy Gutmann *Democratic Education* Princeton University Press, 1999, pp.256-281, Thomas Hurka *Perfectionism* Oxford University Press 1996, Thomas Nagel Equality and Partiality, Oxford University Press, 1991 see especially pp.130-139, Marta Nussbaum *Not for Profit: Why Democracy Needs the Humanities,* Princeton University Press ,2012.

[53] Hurka, 1996, ch.4. Kant *Critique of the Power of Judgment* Cambridge University Press 2000.

doctrine. Thomas Hurka, the leading contemporary proponent of the doctrine suggests the connection between perfection and maximization[54] is, if not analytic, at least a constitutive one, as denoted by the term *perfection*-ism. In order to see this, consider a view which, simply for the purposes of drawing a distinction, I shall call 'Satisficing Developmentalism'. This view like perfectionism, enjoins the development of the capacities but up to some 'satisfactory' or 'sufficient' level. Let us suppose, (idealistically) that 5 represents a satisfactory level of perfection, or, excellence. Now consider a person with a talent for trumpet playing. Suppose she has the option to either join an amateur brass band which would to move her from 2 to 5, or to join a professional orchestra which would move her from 2 to 10. On the satisficing[55] view because in both outcomes she would move to the threshold, both outcomes must therefore be equally good. So it would be permissible, all else equal, for her to choose the former and move to the threshold, even if the alternative, in which she would develop her abilities to an even greater degree, was available. Perfectionism, on the other hand, argues that the best outcome is the one with the highest sum total of perfection, and so, it would argue that it would be wrong for to choose the amateur brass band option if the orchestra option were available since this would be a waste of her finest talents.[56] As Hurka writes: "The terms 'perfection' and 'excellence' hardly connote contentment with the moderately good…. The recruiting slogan of the U.S armed forces is not, 'Be at least two-thirds of all that you can be', nor is the motto of the Olympics 'Reasonably fast, reasonably high, reasonably strong.'"[57] Perfectionism is therefore intrinsically concerned with the maximal development of talents and abilities. Many

[54] For more on the connection between perfection and maximization, see Richard Kraut *What is Good and Why* Harvard University Press 2007, p.136, n4. Kraut writes: "The label 'perfectionism', when applied to a theory, implies that the theory is guided by the concept of the highest possible excellence as a member of a kind."
[55] For a general account of satisficing see David Brink 'Some Forms and Limits of Consequentialism' in D. Copp (Ed.), *The Oxford Handbook of Ethical Theory* 2007, 384- 385, and, Michael Slote *Beyond Optimizing* Cambridge, MA: Harvard University Press, 1989
[56] Hurka 1996, p56-57
[57] Hurka 'Capability, Functioning and Perfectionism' *Apeiron* 35 (4):137-162 2002, p.159

perfectionists[58] assume that there is a strong connection between the development of the capacities and reasons to support or promote culture and the arts, but it is rather unclear what this connection might consist in. Since it is unclear why, specifically culture and the arts are an important source of perfectionist value. Kant is one important perfectionist writer who has a fully worked out account of the normative import of culture and the arts in terms of the development of the capacity for practical reason generally, and specifically, the development of moral reason. In Chapter 3, we will look at the argument Kant gives for his belief that there exists a *strong* connection between culture and the arts and the development of practical reason, and for believing that there is a *weaker*, yet still to some degree important, connection between culture and the arts and moral reason. Kant understands 'perfectionism' to consist in the development of the rational capacities, and secondly, he identifies this development with what he calls 'culture'. This is perfectly consistent with the view of the most important contemporary proponent of perfectionism, Thomas Hurka. Kant and Hurka agree that it is the capacity to set ends which makes us rational. That is, "[humans] are rational because they can form and act on sophisticated beliefs and intentions, ones whose contents stretch across persons and times and that are arranged in complex hierarchies. These last features distinguish human rationality from that of lower animals."[59] Hurka for example suggests that perfectionism offers "justifications [which] come together in a policy of government support for the arts".[60] While I believe this to be intuitively correct, he gives us no indication of *how* these "valuable activities"[61] connect to the central perfectionist idea of the development of the rational capacities. To address this explanatory deficit, I turn to Kant's thesis on the arts and culture from the Critique of Teleological Judgement.[62] Now, Kant thinks we need an explanation of why culture is a significant source of perfectionist value. And he tells us that

[58] For example, every writer listed in n1, above.
[59] Hurka 1993, ibid
[60] Hurka 1993, 39
[61] Hurka 1993, ibid
[62] Kant 2000

the importance of culture lies the development of the rational capacities which is, in some way, connected with a development towards morality. My Chapter 4 is an attempt to understand this connection. I show that Kant's thesis on the normative significance of culture and the arts can be considered to consist in two interconnected ideas. Firstly, that culture and the arts consist in the use of practical reason in complex ways, which distinguishes us from mere natural organisms. Thus he claims that culture is the vehicle through which we develop an aptitude for practical reason in general. Secondly, culture and the arts are significant in terms of assisting us in some sense towards the realization of the capacity for morality. What does this entail? Kant believes that the normative significance of the arts and culture lies firstly in its developing the rational capacities, and secondly, in its *further* aiding the development of these capacities in light of a moral capacity, of which is itself a rational capacity. In this sense he often speaks about culture as an aid to moral freedom where moral freedom consists in a capacity for action and deliberation, guided by reason alone, or, otherwise virtue. Now, as I point out in Chapter 6, some writers[63] have argued for support for the arts and culture, *pace* Kant, on grounds that the development of a cultured or aesthetic sensibility is a necessary and possibly also sufficient condition for the development of a moral personality. However, I show that it hugely debatable whether Kant himself wants to make this sort of strong claim. I show that he does claim that culture encompasses both the conditions of moral agency and the conditions of moral progress and so it appears to be the case that he wants to connect culture and morality. Thus, what I refer to after Robert Louden[64] in Chapter 4 as the 'strong thesis' involves the claim that exposure to culture is a preparatory step in order for an individual be able to make moral choices at all. That is, unless we are exposed to such 'aids' we will be unable to formulate moral maxims. Therefore culture and the arts must be established prior to morality as its necessary and sufficient

[63] See n1 above.

[64] Robert.B. Louden *Kant's Impure Ethics: From Rational Beings to Human Beings* Oxford University Press 2000

condition. However, I show that Kant cannot be making this claim. For this would involve a contradiction in his basic thesis that duty is itself motivationally independent from various empirical supports. What Louden and I call the 'weaker thesis' implies that culture and the arts are necessary yet not *sufficient* conditions for the development of moral character. This would still argue strongly for the idea that individuals should have access to culture and the arts in order to prepare them for morality, but would not make this into a requirement in order that one be moral and so it would avoid the idea that morality depends on culture. Finally, I asses the 'weakest thesis', where, on this view, Kant wants to establish *not* that culture and the arts are either a necessary or sufficient condition for moral agency, but rather they are a necessary condition for moral *improvement* or progress. Thus they are not some kind of preparatory aid to morality at all. Therefore, we can understand Kant as making still weaker argument for the relation of culture to morality which includes only a claim about the development of practical rationality. I end Chapter 4, by arguing that Kant's considered view was somewhere between the "weaker" and the 'weakest' thesis. That is, culture and the arts help to develop the conditions for the use of reason generally, and which Kant believes must include moral reason, and this is enough to establish the basic perfectionist insight. Thus, according to Kant there are two interconnected reasons to favour, promote or otherwise lend our support to the arts, firstly, they are crucial to development of practical reason and secondly because they are an important aid to moral progress.

Now social relations egalitarians often claim Rousseau as a forebear of their view. This is only partly correct. The Rousseau of the *Social Contract* may well give credence to their view. The Rousseau of the first two *Discourses* and of *Emile*, gives some credence to my comparative fairness egalitarian view. As I mentioned above, Rousseau believes that it is unfair or unjust that some should fare better than others due to their having greater natural abilities than others. Rousseau is a proponent of the view of equality as comparative justice or

desert, where those who are equally deserving should fare equally well. He holds that virtue is the proper desert-base and he holds a common good conception of virtue. Rousseau's objection in *First Discourse on the Arts and Sciences*, is that it is unjust that those who are morally less deserving than others fare better than those who are morally more deserving. His claim is that those who have chosen not to contribute to the common good, those who have instead chosen a life of contemplation and leisure, namely artists and the philosophes, should not be permitted to fare better than those who have chosen a life of virtue. Extending from this argument, in Chapter 4, I show that Rousseau wants to develop further an account of *consequences* of comparative injustice which he connects to the idea of 'corruption'. The basis insight is that there are *further* bads, on top of, or, in addition to comparative injustice This he argues is the 'craving for distinction' associated with his idea of *amour propre*; the desire to be richer and more esteemed than others. Put simply, instead of being motivated to act from virtue, when talents are widely esteemed and venerated, individuals are motivated to expend greater amounts of time and money investing in their development. And as we will see Rousseau argues that the effect of this the corruption of a natural tendency or inclination towards the good. Hence, in direct contrast to Kant, Rousseau claims that the development of the arts encourages one to neglect one's duty. And, instead of being 'aids' to moral development Rousseau argues that culture and the arts encourages vice.

1.5 A practical quesiton.

In Chapter 6, I attempt to provide an answer to the central practical question of this study, whether there are egalitarian reasons support the arts. Here I draw on some recent empirical studies of artists' incomes and earing functions. Thought these findings provide us with a partial picture of income inequality in the arts, they should however be useful in guiding us in our assessment of when and in what respect equality as comparative fairness has implications on policy decisions for the arts. The data I refer to establishes the following things; firstly,

that income inequality has increased in the arts over the period 1949–1999. During this period, artists had a consistently lower mean and median incomes compared to workers with similar levels of professional training and education. Secondly that the average income of a full-time artist in the US is around 30% lower than that of all other full-time managerial and professional employees, a group broadly which is taken by the econometrics literature to be comparable with artists in term of abilities, experience and educational attainment. Third, it shows that while artists enjoy a comparable level of education to that of professional and technical workers, returns to education are lower for artists than for workers in these other sectors. Which implies that, unlike in other sectors, investment in education does not significantly increase artists' incomes. The data has also shown that despite these issues there has nevertheless been a huge increase in numbers of people pursuing careers in the arts since at least the late 1970s. Finally, three separate surveys have shown that there is a tendency for a majority of artists to be drawn from comparatively better off backgrounds though the majority of these will end up significantly worse off in comparison to their parents. In the chapter I use this data to create four hypothetical 'case studies' through which our intuitions about comparative fairness can be tested. I find that in most cases there is no egalitarian objection to artists being worse off than others. This is brought into relief when we compare artists who are badly off in income terms, with those who are equally badly off in terms of income, but who lack the occupational choice set of an artist. Our egalitarian intuitions would support aiding the latter person and not the former, despite the fact that they are equally badly off. Things get more complicated when we compare intra artistic inequalities. For example when an artist, as Rousseau would have it, is driven by *amour propre* to pursue fame and fortune in the knowledge of the risk involved and where another artist chooses to use her talents to the benefit of the worse off, say, by working on public commissions, if the first

artists fares better than the other there might well be an objection from comparative justice to the latter faring worse than the former.

I conclude this introduction with the following thoughts. I believe that *both* equality and perfection matter, and I believe, moreover, alongside Kant and Hurka, that culture and the arts matter because perfection matters. It is good that we develop our capacities for rationality, and it is good that inequality is reduced or eliminated. Perfection and equality are two important values in the moral universe which must be carefully weighed together with other important values if we are to arrive at an all things considered judgement about the best outcome. However as we shall, see both perfection and equality are non welfarist values, and there are some, in particular those who Fred Feldman[65] describes as fanatical welfarists who would wish that talk of perfection and equality be expunged. These people hold an implausible monism about value. Their views are not defensible. I write this thesis from the assumption that some form of pluralism about value[66] is true. I shall say a little more about this in Chapter 2. Let me now however turn the monist objection to equality.

[65] Fred Feldman 'Return to Twin Peaks' in Serena Olsaretti (ed) *Justice and Desert* Oxford University Press 2003, p.147.

[66] Robert Audi *The Good and the Right: A Theory of Intuition and Intrinsic Value ,* Princeton University Press 2004, see ch.3, Berys Gaut, 'Justifying Moral Pluralism, in Phillip Stratton-Lake (ed), *Ethical Intuitionism: Reevaluations* Oxford University Press, 2002, W.D Ross, *The Right and The Good*, Phillip Stratton-Lake (ed),Oxford: Clarendon Press, 2002, ch.V, and W.D.Ross, *Foundations of Ethics* Oxford Clarendon Press, 1939, ch.XI, Phillip Stratton-Lake 'Recalcitrant Pluralism' in Brad Hooker (ed) *Developing Deontology : New Essays in Ethical Theory,* Wiley Blackwell , 2012, Temkin

2.

Levelling Down, Equality, Fairness and Welfare

2.1

The master value of this dissertation is equality. In this chapter I will consider the so-called, 'levelling down objection' against it, and I shall examine two responses to the objection. In the section 1, I consider the response to the levelling down objection due originally to Larry Temkin.[67] In section 2, I review a second, alternative response to the levelling down objection which has been proposed by a number of writers, including; John Broome,[68]Iwao Hirose,[69] Karsten Klint Jensen,[70] and Ingmar Persson.[71] This response is premised on a modified version of egalitarianism which completely avoids levelling down, and, for that reason, the above writers claim, enjoys a crucial advantage over Temkin's framwork. I shall find this response unsatisfactory and defend Temkin's framework as the most plausible egalitarian response to the levelling down objection. The purpose of this chapter is twofold. Fristly I review some of the key literature in the field and introduce the 'impersonal egalitarian' framework which I shall be working with across this thesis, secondly, I shall show that whilst the current discussion of levelling down typically turns on the normative status of impersonal values, a second problem to which egalitarians must answer is the one

[67] In the following discussion I draw on Temkin *Inequality* Oxford University Press, 1996 Ch.9, 'Equality Priorty, and the Levelling Down Objection' in M. Clayton and A. Williams eds. *The Ideal of Equality*,St Martin's Press 126-182, 2000, 'Egalitarianism Defended' *Ethics* 113 764–782, 2003a, and Equality Priority or What?' *Economics and Philosophy*, 1, 61–87, 2003b.

[68] John Broome 'Respects and Levelling Down', *European Congress of. Analytical Philosophy, Lund*, 2002, accessed 6th November 2015, http://users.ox.ac.uk/~sfop0060/pdf/respects%20and%20levelling%20down.pdf

[69] Iwao Hirose *Egalitarianism* Routledge 2014, pp.63-86, see also Hirose 'Prioritarianism and Egalitarianism', in Thomas Brooks, (ed.) *New Waves in Ethics*. Palgrave Macmillan 2011, and Hirose 'Reconsidering the value of equality', *Australasian Journal of Philosophy*, 87, 2009, pp.301-312

[70] Karsten Klint Jensen 'What is the Difference Between (Moderate) Egalitarianism and Prioritarianism?' *Economics and Philosophy,* No. 19, 2003, pp. 89-109

[71] Ingmar Persson 'Why Levelling Down Could Be Worse for Prioritarianism Than for Egalitarianism' *Ethical Theory and Moral Practice* 11 (3), 2009, pp.295–303.

regarding the normative status of an impersonal *relation.* And it is this problem which will be addressed in chapter 3.

2.2 Setting out levelling down: Person-affecting principles.

Egalitarians hold at least the following:

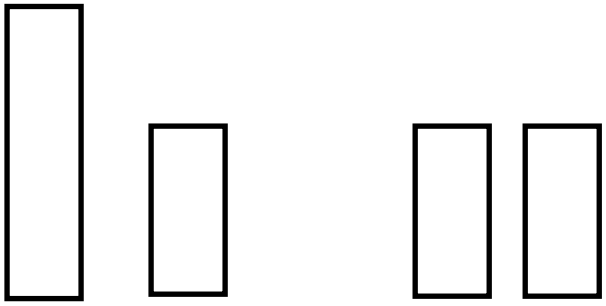
Egalitarian Principle: *it is bad because unfair that some people are worse off than others through no fault or choice of their own.*[72]

According to egalitarianism, an outcome is made, in one respect better if inequality is reduced or eliminated, even if this does not involve making the worse off better off, but only involves bringing the better off down to the level of worse off. Non-egalitarians argue that in *no* respect is an outcome normatively improved by levelling down some and in *no* respect does merely raising up some worsen an outcome.[73] Since levelling down would undeniably decrease inequality, yet render no one better off, while raising up would undeniably increase inequality yet would make some better off, equality cannot improve an outcome in any respect so egalitarianism must be rejected.[74] As Larry Temkin has demonstrated[75] objections to levelling down depend on an appeal to a 'person-affecting' restriction on the moral value of outcomes, which he has dubbed the Slogan.

The Slogan: One situation *cannot* be worse (or better) than another *in any respect* if there is *no one* for whom it *is* worse (or better).[76]

[72] Temkin 1993, 13, 200
[73] See for example Parfit 2000, Temkin, 1993, ch. 9, and Holtug 2010 ch.7
[74] Temkin 2003b 773
[75] See Temkin 1993, pp.248-281, 2000 p.132, 2003b, pp.776-782,
[76] Temkin 1993, pp.248

Fig.1



A B

The Slogan is obviously strong enough to support the objection to levelling down. Consider the diagram above where the width of each block represents the numbers of people in each outcome and the height represents the levels well-being. Egalitarians claim that B is, in *one* respect, better than A, i.e. that it is better with respect to equality. But moving from A to B is worse for some and better for no one, and *because* it is better for *no one,* so the Slogan claims, it cannot be better *in any* respect. Therefore equality cannot be a value that renders an outcome in even one respect better than another, so egalitarianism should be rejected.[77]

The Slogan expresses a *Narrow* Person-Affecting view[78] of outcome value,[79] where the goodness of outcomes is dependent solely on how particular people, or, particular groups of people, are *affected* for better or worse, in those outcomes. The aim of narrow person-affecting viewss is, for each person who does exist, or has existed, or will exist, that those

[77] Nils Holtug *Persons, Interests and Justice* Oxford University Press 2010, 185.

[78] The distinction between narrow and wide person-affecting principles originates in Derek Parfit, *Reasons and Persons* Oxford: Clarendon, 1984, pp. 393–95.

[79] Certain welfarist writers claim that Person-Affecting Views do not simply account for the whole of outcome value but the whole of morality. See for example, L.W Sumner, *Welfare, Happiness, and Ethics* Oxford University Press, 1996

persons should fare as well as possible.[80] Narrow Person-Affecting views are therefore to be contrasted with Impersonal Total and Average views and with Wide Person-Affecting views. Impersonal Total and Average Views imply that regardless of whether or not they have the same people or the same number of people, one outcome will be better than (equal to) another if and only if the one outcome has a higher (the same) total or average amount of utility or well-being, respectively.[81]Person-Affecting approaches are indeed important. They enable us capture what is attractive about our views regarding well-being in a way that is arguably rendered distinctly unattractive by Classical Utilitarianism. As Jan Narveson puts it:

Morality has to do with how we treat whatever people there are.... [We] do not ...think that happiness is impersonally good. We are in favor of making people happy, but neutral about making happy people.[82]

In contrast, for impersonal views, benefits are simply good therefore, it is good that benefited people exist.[83] Hence, these views treat people as 'mere recepticals'[84] of value whih can be added to (or in the case of average views, subtracted from) an outcome to make that outcome better from the perspective of total (or average) utility. Broome,[85]Parfit,[86] and Temkin[87] have each shown that Narrow Person-Affecting views return judgments that are implausible in a wide range of cases. One particular range of cases in which these approaches have been

[80] Sumner 1996 pp.191-2

[81] For discussion of the different implications of holding total and averaging views about welfare see Thomas Hurka, 'Value and Population Size' *Ethics* 496,1983. Parfit 1984 ch.9, see also Temkin's discussion in his 2012, especially ch. 12. For the distinction of impersonal aggregative views about welfare, see the classic article by Jan Narveson, 'Moral Problems of Population' *The Monist* 57 1973,pp. 62–86. See also Sumner's discussion in his 1996, ch.2-4, Holtug 2010, ch. 6, Gustaf Arrhenius andWlodek Rabinowicz'The Value of Existence' in I. Hirose and J. Olson, *Oxford Handbook of Value Theory*, Oxford University Press, 2015,

[82] Narveson 1973, 80.

[83] Holtug, 2010, 157.

[84] See Tom Regan *The Case for Animal Rights*, London: Routledge, 1984, 205

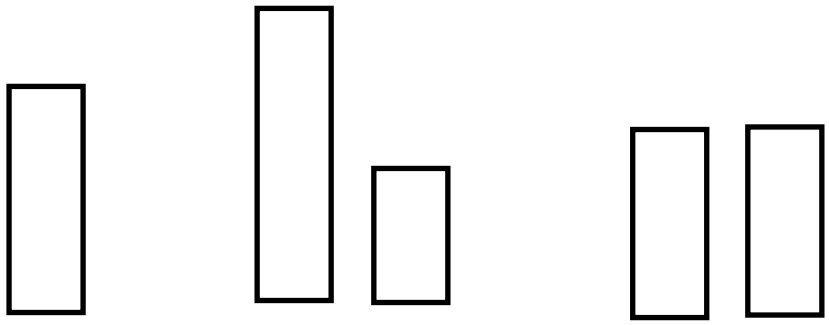
[85] John Broome, *Weighing Goods: Equality, Uncertainty, and Time*, Oxford: Basil Blackwell, 1995, ch.10

[86] Parfit, 1984, ch.16

[87] Temkin 1993, 2000. I consider Temkin's response to person-affecting princinples below. In contrast with Broome and Parfit who think that Narrow Person-Affecting views should be rejected. Temkin argues that such views should not be rejected, but rather amended, and limited in their scope so as to require pluralism. We will shortly see how the Narrow-Person Affecting view can be amended, and we shall be arguing later for its scope to be limited.

shown to be *deeply* implausible are cases involving people whose existence is contingent on our choices, that is, cases involving the Non-Identity Problem.[88]

Fig 2.



Assume that the above three outcomes contain different (but the same numbers of) people. Following Temkin's discussion, let us suppose that the people *p* in outcome A are contemplating two policies which would transform A into either B or C. Let us call Policy 1 'live for today'. If *p* adopt Policy 1 they have children immediately and deplete natural resources for current uses. Outcome B would result. Each of *p* would be better off, but their children, *q* would fare less well than they. Alternatively, they could adopt Policy 2 which we will call 'take care of tomorrow', they would postpone having children for a few years and conserve resources. In this case C would result; each of *p* would fare slightly less well than they do now, but their children call them *r* would fare just as well as they. Most believe the

[88] Parfit in his 1984 ibid, was the first to point out that the Slogan, or Narrow-Person Affecting principle runs afoul of the slogan. For Temkin's analysis of this same problem see his 1993, cb. 9. For some different attempts to rework the Slogan resolve its incompatibility with non-identity, (more on which below) see for example Roger Crisp *Equality, Priority, and Compassion* Ethics 113 2003, pp.745–763, see especially p.747, Nils Holtug Nils Holtug, 'Good for Whom?' Theoria LXIX, Part 1–2, 2003 pp.4–20 and Holtug 2010 p.160. For a collection of papers on person-affectingness generally and problems of non-identity problem see Melinda A. Roberts and David T. Wasserman, (eds) *Harming Future Persons: Ethics, Genetics and the Nonidentity Problem*. New York: Springer, 2009.

'take care of tomorrow policy would be morally preferable to the alternative 'live for today' policy, and thus they would judge C as better than B. However, as Temkin has shown, given two plausible assumptions, this belief is incompatible with a Narrow Person-Affecting view. The first assumption is that the choice of policy will affect the identities of those who exist in the future, such that the children born in B will not be the same people as those born in C. As Temkin puts it, "being conceived several years later, they would come from different sperm and ova",[89] and this, many people accept, is sufficient for their being different people. The second assumption is that one cannot harm or act against the interests of someone who will never exist, and neither can one harm someone by failing to conceive her. Temkin illustrates this with the following example. Consider that an average ejaculation contains between 120 and 750 million sperm cells. If one thinks of all of the partners a woman might have sex with during the time each month when she is fertile, and if one thinks that each sperm would combine with her ovum to create a unique individual, the number of possible people she might conceive each month is astronomical. It is surely implausible to think that she acts against the interests of each possible person she might conceive, if she refrains from sex. Moreover, while it might be true that if she had had sex with Tom she might have conceived a particular individual, Tom Jr., it seems implausible to claim that she acted against Tom Jr's interest when she had sex with her husband Barry, and conceived Barry Jr. instead.[90]

From these two assumptions together with the Slogan it follows that B cannot be worse than C for *p* since each of *p* fares better in B than in C. Neither is B worse for *q*, because *q* each have lives that are worth living in B, and would not exist in C if the 'take care of tomorrow' policy were adopted. And B cannot be worse than C for *r*, because *r* would not exist if the

[89] Temkin 1993 p.255

[90] See Temkin 1993, ibid and 2012 For the Tom Jr.and Barry Jr. case, see his 'Harmful Goods, Harmless Bads', in R. G. Frey and Christopher W. Morris (eds), *Value, Welfare, and Morality*. Cambridge: Cambridge University Press 1993, n13 p319.Cf. Jeff McMahan 'Causing people to exist and saving people's lives'. *Journal of Ethics* 17: 5–35, Parfit 1984, and David Velleman, 'Persons in Prospect,' *Philosophy & Public Affairs* 36, 2008,pp.221-288.

'live for today' policy was adopted so would not be made worse off. Finally, if the "take care of tomorrow" policy was adopted and C was brought about, then, as the Slogan implies, there is *someone* for whom C *is* worse, namely it is worse for *p*. Even though C is clearly better than B, despite being better for no one, the Slogan returns the judgment that B must be better than C, since it is better for *p*, and is not worse for either of *q* or *r*. Thus the Slogan would recommend that we adopt the 'live for today' policy over 'take care of tomorrow', thus generating the Non-Identity problem. Because of the counterintuitivieness of Narrow Person-Affecting views when applied to Non-Identity cases, most writers reject the Slogan and thus its role in motivating objections to levelling down. They appeal instead to a *Wide* Person-Affecting restriction,[91] intended to answer both to the Non-Identity problem and motivate the objection to levelling down.

One example of such a view is given by Nils Holtug

Wide Person-Affecting Principle An outcome, O1, cannot in any respect be better (worse) than another outcome, O2 , if there is no one for whom, were O1 to obtain, O1 would be in any respect better (worse) than O2 and no one for whom, were O2 to obtain, O2 would be in any respect worse (better) than O1. [92]

The Wide Person-Affecting restriction is able to avoid the non-identity problem since, in contrast to the Slogan, it is not limited to a concern with how *particular* people fare for better or worse in one outcome relative to how the *same people* might fare in any alternative outcomes. Rather Wide Person-Affectingness is concerned with how *people* fare for better or worse in different outcomes, whether or not they are the same (or same numbers of) people, and where the aim is to make it the case that whichever people will exist those people are as

[91] Writers who endorse this principle include, Holtug, 2003 & 2010, Brett Doran, 'Reconsidering the Levelling Down Objection Against Egalitarianism', *Utilitas*, 13 2001, pp. 65-85, Crisp, 2003, Marc Ramsay, 'Teleological Egalitarianism vs. the Slogan', *Utilitas* 17 2005, pp. 93-116 p. 94. Campbell Brown 'Levelling Down Sans Slogan'. Unpublished ms. 2003

[92] Holtug 2010, p.160

well off as possible. We will simply assume that a principle along the lines of Holtug's is successful in answering the Non-Identity problem, and so the egalitarian cannot use such cases to put pressure on Wide Person-Affecting views. The Wide Person-Affecting restriction is also strong enough to motivate the objection to levelling down. In returning to Fig.1 it implies that there is no respect in which B can be better than A, since, were B to obtain, there would be no one for whom, in any respect, B would be better than A and, were A to obtain, there would be no one for whom, in any respect, A would be worse than B. We should note that, the Wide Person-Affecting restriction is a revision of Slogan (for the sake of brevity I shall simply refer to the Wide Person-Affecting restriction as revised Slogan (RS)), which preserves the thought that that moral value of outcomes should be assessed *exclusively* in terms of individuals and by way of their capacity to be affected for better or worse in those outcomes. In cases where the same number and same people are involved it will simply converge with the original Slogan. On the other hand, it widens its scope of the Slogan, such that, the persons for whom outcomes can be better or worse *for* are non-contingent as well as contingent persons.[93] Hence, according to Roger Crisp: "[…] what is worrying about egalitarianism is independent of person-affectingness in [the narrow] sense. Rather the worry arises from the idea that what matters could be something that was independent of the well-being of individuals."[94] So if we accept RS, it follows that: "the features that speak in favor of outcomes must be grounded, even if in an indirect way, on benefits to individuals."[95] Similarly, according to Hotlug: "Outcome values…crucially depend on how individuals are

[93] See Ingmar Persson's discussion in his 'Person Affecting Principles and Beyond' in N. Fotion, J.C. Heller (eds) *Contingent Future Persons: On the Ethics of Deciding Who Will Live, Or Not in the Future*, Kluwer Academic Publishers, 1997, pp. 27-41.

[94] Roger Crisp *Reasons and the Good* Oxford Clarendon Press 2006, pp.148-149

[95] Crisp 2003, p.748. See also L.W Sumner 1996 pp.91-92. One other writer of note who endorses a wide person-affecting view of value is Joseph Raz who writes in his The Morality of Freedom, Oxford Clarendon Press, 1988, p. 194, "the explanation and justification of the goodness or badness of anything derives ultimately from its contribution, actual or possible, to human life and its quality."

affected for better or worse. And the problem with egalitarianism is that the link between equality and benefits is purely contingent."[96]

In the next section we will see how some writers have argued that the levelling down objection could be avoided by reducing 'equality' to the welfare of the worse off. Insodoing they reject the egalitarian principle and with it the idea that equality is any kind of value as such.[97]

2.3. The Case of the Disappearing Value.

As we have seen egalitarians are committed to, at least the principle of equality, according to which it is in itself bad that among equally deserving people, it is bad because unfair that some are worse off than others through no fault or choice of their own. So among equally deserving people unfair inequalities are bad. We have also seen that all egalitarians are value pluralists. As pluralists, they must weigh the objective of reducing or eliminating inequality alongside other moral ideals, including welfare. This implies that in certain contexts, the value of reducing or eliminating inequality may be outweighed by other values. In cases of levelling down, it is because the egalitarian is committed to the value of wellbeing that she need not claim that an equal, levelled outcome is better all things considered, than an unequal unlevelled outcome. Indeed she might hold that if the losses in welfare to the better off are very great and given no attendant gains for the worst-off, this may outweigh gains to equality, so, all things considered, she may judge the levelled outcome as worse. But this is perfectly compatible with holding that levelled outcome would nevertheless be an improvement in *one* respect. Egalitarians therefore are committed to the view that the relation 'better than, with respect to equality' implies incompleteness. Incompleteness is not, to be sure, itself any sort

[96] Nils Holtug 'Prioritarianism' in Nils Holtug and Kaspar Lippert-Rasmussen (eds) *Egalitarianism: New Essays on the Nature and Value of Equality* Oxford Clarendon Press, 2007,p. 140.
[97] Hirose 2015, p.77

of fatal failing, given that it would be fanciful to think that any 'single principle' distributive view could capture the full truth about the ethics of distribution.[98]

As we been claiming, objections to levelling down flow from the idea captured by RS which says, at least in terms of the moral assessment of outcomes, *all* respects or moral factors in which one state of affairs *can* be better or worse than another must be person-affecting. RS cancels out the 'in-one-respect-better' claim, since according to RS there are no non-person-affecting moral ideals.[99] And since egalitarians cleave to the idea that equality is a good-making feature of outcomes, over and above welfarist value, then, if the revised Slogan were true, egalitarianism would be false. In this section we shall consider a sophisticated response to the levelling down objection developed in recent years by Broome, Persson, Hirose and Jensen, inter alia.[100] The thought behind their proposal can be put as follows. The impersonal egalitarian view says that (a) equality makes an outcome in one respect better even when it does not benefit anyone. From (a) it follows that (b) levelling down must be, in one respect better. This triggers the objection which if true cancels out the statement of value in (a). We should therefore modify (a) so as to avoid implying (b). As we will see, in modifying (a), these writers reject the conception of equality as an impersonal, or, non-welfarist, good. Their proposal instead attempts to ground the value of equality in the wellbeing of the worse-off. Hence at the core of their argument is a revision of the central egalitarian principle. It proposes to shift out the normative concern from that of a comparative *relation* between persons, where, at least as far as egalitarians of my stripe are concerned, people ought to relate to one another in the absence of comparative unfairness, to a concern for comparative

[98] Martin O'Neill 'Priority Preference and Value', *Utilitas,* 24, 2012, p. 344.

[99] More precisely it rules out the idea that non-person affecting ideals (that is, non-welfarist ideas) contribute to the value of an outcome, though, as some writers note, non-person-affecting ideals might still feature as side-constraints. On this point see Nils Holtug Egalitarianism and the Levelling Down Objection *Analysis* Vol. 58, No. 2,1998, pp. 166-174 see p.168

[100] Broome 2002, Hirose 2009 & 2014, Jensen 2003 See also Matthew Adler*Well-Being and Fair Distribution: Beyond Cost-Benefit Analysis* p Oxford University Press, 2012, pp.72-78 and Martin Petersen *The Dimensions of Consequentialism: Ethics, Equality and Risk* Cambridge University Press 2013, p.144

wellbeing where the aim is to ensure those who are worse off than others fare as well off as possible.

Their argument is an attack on the claim that levelling down can make an outcome in one-*respect*-better via an attack on the '*not* better-all-things-considered' claim. It argues that if we have reasons to believe that levelling down cannot make an outcome all things considered better, we must modify the egalitarian principle to such that this possibility is avoided. The effect of this modification then gives us reason to doubt that it can make an outcome better in a respect.

As we have noted egalitarians do not believe that equality is the *only* thing that matters in the assessment of outcomes. So they attach weight to other moral ideals, including that of wellbeing. However, as above writers claim, the impersonal egalitarian cannot however consistently hold a commitment to the value of equality alongside a commitment to the value of welfare. Suppose that, *qua* pluralist, in addition to the egalitarian principle, the impersonal egalitarian also holds the:

Weak Principle of Utility: It is in one respect better (worse) that people are better (worse) off

In response to the levelling down objection, *qua* pluralist the egalitarian assumes that she can choose some weight for the egalitarian principle and the principle of utility, such that levelling down does not make an outcome all things considered better. She could, for example, assign some weight to the disvalue of inequality such that even if levelling down brought about a sufficiently large improvement in inequality this would be outweighed by any attendant losses in total welfare. Assuming this weight was constant then levelling down could never be all things considered better. However, the egalitarian offers no principled restriction on the weight she assigns to the disvalue of inequality. So we must assume the weight will be variable. Because the egalitarian holds that gains to the better off always

count, in one respect, negatively because always increasing inequality, the weight assigned to the disvalue of inequality and total welfare should increase as the badness of inequality increases.

As Hirose[101] puts it;

Those who favor the intrinsic [egalitarian] view might accept that the value of the better off person's well-being counts less, but claim that the principle of utility is not violated. They could argue that an increase in the better off person's wellbeing increases the value of people's well-being generally, but that this increase is outweighed by the overwhelming disvalue of inequality. Therefore, the principle of utility is not violated. But a response along these lines is not satisfactory. The response is simply deceptive in the sense that it would have us ignore the stone-solid fact that the well-being of the better off person counts negatively in estimating the overall goodness of a state of affairs.[102]

Therefore, there must be some scenarios where the badness of inequality is sufficiently great such that the weight assigned to the disvalue of inequality will be sufficiently large to outweigh welfare losses to the better off, which implies that levelling down would make an outcome better, all things considered, thus violating the principle of utility. It is claimed that this would be deeply implausible.

We must therefore believe that levelling down of the better off *always* make an outcome, all things considered, worse. And so the egalitarian ought to restrict the weight assigned to the disvalue of inequality to avoid this implication. Which implies that the egalitarian principle must be modified so as to ensure that it never violates the principle of utility. One of the ways

[101] A similar point is also put by John Broome in his 'Fairness, Goodness and Levelling Down' in Christopher J.L Murray, Joshua A. Salomon, Colin D. Mathers, and Alen D. Lopez *Summary Measures of Population Health: Concepts, Ethics, Measurement and Applications World Health Organization*, 2002, pp.135-137
[102] Hirose 2014 p.79

it has been suggested[103] that the egalitarian can hold her favoured principle consistently with the principle of utility is, if she were to endorse:

Principle of Personal Good: One outcome O1 is better, all things considered, than another outcome O2, only if it is better for some, all things considered, and worse for no one, all things considered.

If the egalitarian principle is suitably combined with the Principle of Personal Good[104] (PPG) we arrive at a version of egalitarianism that is referred to as 'moderate'.[105] This view says that levelling down is always all things considered, strictly worse, since it always worse for some and never better for anyone, which is equivalent to the claim that raising up is always, all things considered, strictly better. That is, benefiting the better off, while keeping other people's well-being constant always makes an outcome, all things considered, strictly better. So, it is argued if the principle of egalitarianism is combined in such way with utility that it satisfies PPG, we arrive at a combined principle which orders outcome all things considered.

Now, as we have argued, RS, implies that impersonal moral ideals fail to count as respects in which an outcome can be better or worse. PPG includes no such strong restriction. An egalitarian therefore may endorse PPG without giving up her commitment to the impersonal value of equality. However RS and PPG, in distinct ways, express a central and overriding concern for the person-affecting nature of value. Both imply that if one outcome is all things considered better than another this *must* be because it is better *for* some and worse for no one. And, if two outcomes are equally good this *must* be because there is no welfare difference

[103] See Ingmar Persson's discussion in his 2009

[104] The Principle of Personal Good is a version of the Pareto principle but differs from standard versions of the Pareto since those versions are formulated in terms of preferences rather than welfare. It corresponds to John Broome's principle of personal good in his 1995 pp. 152&165.

[105] Parfit coined the term 'moderate' in his 2000. For moderate views see Bertil Tungodden 'The Value of Equality,' *Economics and Philosophy,* 19: 1–44 and Jensen 2003.

between the two outcomes[106]. However, RS arrives at this judgment *because* there can be no value other than person-affecting value. PPG arrives at this judgment *despite* permitting the normative significance of impersonal values, though entailing their irrelevance all things considered. PPG thus operates in a similar way to RS at the level of all things considered judgements. Impersonal ideals do not, just by themselves make an outcome better. Impersonal moral ideals may make an outcome better only in cases where they ride piggyback on improvements in person-affecting value, or in certain restricted cases where they are invoked to break a tie between two equally good outcomes. Thus holding the combined principle, the egalitarian is in effect committed to a restriction on the moral importance of the disvalue of inequality and total welfare. But we can respond that, if equality, on its own, never makes a difference to the value of an outcome all things considered, then there might be reason to doubt whether it is plausible to continue to hold onto the 'in a respect better' claim. The next step in the argument is to show that moderate egalitarianism can be reformulated so as to be compatible with a view which does not include an 'in a respect better' claim, thus avoiding levelling down entirely. Which will mean the view that falls out will be perfectly compatible with RS. Iwao Hirose[107] has offered a clear, formal presentation of this argument which I will reconstruct as follows.

We have been arguing above that the egalitarian *qua* pluralist holds two separate moral principles which when combined can be represented in the following formula.

$G=W - \alpha I$.

[106] For example,Matthew Adler in his 2012 p.53, writes that Pareto indifference is the essence of welfarism.
[107] Hirose 2014 pp. 70-79. Hirose's formula is the 'generalized Gini' or Gini social welfare function, see Charles Blackorby and David Donaldson 'A Theoretical Treatment of Indices of Absolute Equality', *International Economics Review* 21/1, 1980, pp.107–36, Amartya Sen *On Economic Inequality* (enlarged edition with a substantial annexe, 'On Economic Inequality after a Quarter Century', by James Foster and Amartya Sen). Oxford: Oxford University Press 1997. John Weymark 'Generalized Gini Inequality Indices' *Mathematical Social Sciences* 1, 1981, pp. 409–430.See also the discussion in Mark Fleurbaey, Bertil Tungodden, and Peter Vallentyne'On the Possibility of Non-aggregative Priority for the Worst Off' *Social Philosophy and Policy* 26 (1), 2009, pp.255–85

Where *G* is the goodness of a state of affairs which is calculated as a combined function of the value of welfare and the disvalue of inequality.

Consider a two person case, Let *W* be measured by the average of the welfare of the two individuals.

1/2 (W1 + W2)

Let *I* be measured by the absolute difference between the welfare levels of the two individuals and let α represent a weight assigned to *I.*

α|W1 – W2|

We can then combine these two respects so as to give the value of *G*.

(1) *G*= 1/2(W1 + W2) - α|W1 – W2|

We calculate the value of *G* through a simple procedure of subtracting the disvalue of inequality from the value of average welfare. The inclusion of inequality as an independent impersonal moral factor in which an outcome can be better or worse invites the levelling down objection. When the weight of α-is unfixed, i.e when it is greater than 0, then the welfare of the better off counts negatively, so, by levelling down, we decrease both the value of inequality and the value of average wellbeing. However, while the decrease in average welfare decreases G in one respect, decreasing inequality increases G in another, thus levelling down must make an outcome better in one respect.

Hirose proposes[108] to rearrange (1) and entirely avoid the levelling down objection.

(2) G = 1/2 W1 + 3/4 W2 (if W1 > W2)

G= 3/4 W1 + 1/2 W2 (if W2 > W1)

[108] This formula is the Gini Social Welfare Function see previous notee.

In (2), the only moral factors, or respects, in which the outcome could be better or worse, are the welfare of person1 (W1) and the welfare of person2 (W2). Where has the value of equality gone? 'Equality' in has been reduced to the weight, or, moral importance of each person's welfare in the distribution. Where these weights are determined by the rank order position of individual welfare when all welfare levels are arranged in a descending order. Weights increase as one moves down the order, with the greatest weight assigned to the worst off. Finally, the principle tells us that overall goodness is a function of the weighted sum of (rank-ordered) wellbeing.

Now, (2) avoids levelling down and is extensionally equivalent to moderate egalitarianism. If we are moderates, recall, we will believe that α should be restricted by PPG. Since (2) satisfies PPG, it will arrive at exactly the same ranking of outcomes as the moderate view and so it will be extensionally equivalent. Next, (2) avoids levelling down while (1) does not. It is quite simple to observe why this is the case. As Ingmar Persson an advocate of this view puts it, "inequality [is] something that operates upon the 'host' value of well-being rather than as a separate value alongside it."[109]In (2) equality simply does not appear as any kind of separate moral factor, or, respect which an outcome *can* be better or worse. Levelling down cannot be in *any* respect better, because there is no respect in which it can be better. Suppose W1 > W2, by levelling down, all we would achieve is a reduction of W1, we do not increase the value of W2. Because there is no increase in either of the terms in the argument so there is no respect in which levelling down is better.

[109] Persson 2008 p.297

Because I shall argue that this proposal does not represent a plausible version of *egalitarianism* rather than a plausible version of *prioritarianism*, I shall refer to this view, (after Perssson[110]) as:

Relative Prioritarianism (Broad Scope): Benefiting people is the only thing that matters. Benefiting people matters more the worse off those people are compared to others.

According to the relative priority view expressed by (2), the moral value of outcomes is to be assessed solely in terms of benefits and harms to individuals. The weight or the moral importance attached to benefits is determined by rank-order position in an overall ranking by wellbeing level, with weights increasing according to rank-order, with the welfare of the lowest ranked individual having the greatest moral weight. In the simple two-person case (2), if person 1 is comparatively better off than person 2, this decreases the weight or moral importance of that person's well-being in the overall goodness of a distribution, and increases the weight, or importance, of the well-being of person 2, in the overall goodness of a distribution. We therefore do more good by giving a benefit of a certain size to a lower ranked individual in the distribution, than by giving the same benefit to a higher ranked individual. Depending on the weighting profile the relative priority view would be straight maximin/leximin given an infinite relative weight to the welfare of the lowest ranked individuals, and straight utilitarianism if it assigned equal weight to all individuals. However, like the absolute priority view,[111] the relative view does not assign absolute priority to the worst-off. It rather seeks a weighting profile somewhere between maximin and utilitarianism. Many believe correctly, that it is implausible for an ethical principle to focus solely on improving the condition of one group at the total expense of other, even slightly less badly off people. As an additive aggregative view relative prioritarianism must satisfy continuity,

[110] See Ingmar Perssson, 'Equality, Priority and Person-Affecting Value', *Ethical Theory and Moral Practice*, 4/1, 2001, pp.23–39.
[111] See Parfit 2000.

such that, it must be able to trade-off gains and losses between better and worse off. So, other things equal, it claims that, any finite amount of benefits falling a lower position can always be outweighed by a sufficiently large amount of benefits falling at any other position. Thus, unlike Rawls's maximin principle, it assigns strictly positive weight to the welfare of all individuals, and a strictly greater but not *infinitely* greater, weight to those with strictly lower welfare.

We can give a complete expression of the view as follows:

Relative Prioritarianism (Narrow Scope): One distribution O1, will be better than another distribution O2, if O1 has a greater sum total of rank-order-weighted benefits than O2.

Now, while I agree that this view is consistent with a person-affecting morality such that it avoids levelling down, despite the intentions of its proponents however, I believe that is has little to recommend itself as an *egalitarian* view. As was expressed in (2), the relative priority view claims that is in *no* respect bad that some are better off than others. It is incapable of registering the fact that lowering the best-off group to the level of the next best-off would unequivocally improve an outcome's equality. If we believe that it is bad that some are better off than others, this must be because we believe that something of value other than the welfare of individuals has normative significance. The relative priority view argues instead that the *only* relevant information we require in order to make moral evaluations of states of affairs, has to do with people's levels of welfare. Reducing the welfare of the better off with no increase in welfare anywhere else in the distribution simply *reduces* welfare, there is no way that it could make outcome in *any* respect better.. Hence the view avoids levelling down and is compatible with RS, but at the cost of eliminating equality as any kind of value.

Now, it is of course true that the view differs from absolute prioritarianism insofar as it concerned with the idea that *welfare* is an essentially *comparative* concept. Indeed, Hirose[112] criticises absolute prioritarians for cleaving to the belief that there is an absolute scale of value which could exist independently of distributions of people's well- being[113], and which tells us how much each person's wellbeing contributes to the value of an outcome. Rather he argues that until an absolute scale has been proved to exist, it has a presumption against it. The most plausible way of understanding 'giving priority to the worse off' is therefore, in comparing everyone's level in the distribution. Which means we must understand the 'the worse off' in terms of those individuals who are worse off *than others*. Hence it is concerned with comparisons just in case there is no absolute scale of welfare. Otherwise it would be absolute prioritarianism. Since it denies that there *is* an absolute scale it rejects absolute prioritarianism.[114] Therefore the aim is that the worse off should fare well, and that this just means that they should fare comparatively better. However, rejecting an absolute scale of welfare does not an egalitarian make. Indeed not only do I believe that if Hirose is correct, the relative priority view is a more plausible version of prioritarianism but moreover, if he is correct, I believe, though in many way distinct, this view, should be understood as a more plausible version of *Rawlsianism*. Recall that Rawls's argues:

[T]he [difference] principle holds that …society must give more attention to those with *fewer* native assets and to those born into the *less favorable social positions*. Now the difference principle is not of course the principle of redress. . . But the difference principle would allocate resources…so as to improve the long-term expectation of the least favored. … Thus we are led to the difference principle if we wish to set up the social system so that no one

[112] Hirose 2011 and2014
[113] Hirose argues in his 2011 and 2014, that the existence of a strictly concave goodness function is an empirical claim that is yet to be proved true. The rank-dependent model doe not make such a claim, according to it, individual goodness functions are linear, not concave, and are strictly increasing.
[114] Hirose Ibid

gains or loses from his arbitrary place in the distribution …without giving or receiving compensating advantages in return.[115]

Similarly to Rawls's view[116] the relative priority view is committed to making those who are worse-off *than others,* better off. And, and unlike egalitarianism, this view is perfectly compatible with the idea that we should seek *inequalities* if the worse-off benefit from them, since that would make an outcome better. That is, we should seek inequalities if a relatively worse off individual is made better off than she would have been without the inequality.[117]

And so along with Rawls's view, the relative priority view I believe stretches the sense of the concept, should it refer to itself as a version of egalitarianism. Let us now consider the objection that comparative fairness egalitarians cleave to some ghostly value, over and above individual welfare. Suppose that we use the weighting schedule recommended by Adler[118] and Fleurbaey,Tungodden and Vallentyne in their paper.[119] The weights then are, 1 for the benefits of the best off position, 2 for the benefits of the second best off position, 4 for the third best off position… and 2n-1 for the benefits of the worst off position (where there are *n* people). Suppose we have a three person case as follows; (5, 6, 9) =41 (9x1+6x2+5x4). The relative priority view says that the *lower* welfare of each of the 2nd and 3rd ranked individuals contribute more value to overall value of the outcome than the *higher* welfare of the first individual. This is a controversial claim which I believe requires much more argument, but furthermore it would at least lead us to doubt the assertion that the relative view should be

[115] Rawls 1999, pp. 86-87

[116] I refer the reader to the discussion in Freeman Rawls. As I pointed out in n93 above, the relative priority view is drawn from the work done on rank-dependent utility functions. In the economics literature, and especially in John Quiggan 'A Theory of Anticipated Utility' *Journal of Economic Behavior and Organisation*, 3, 1982, pp. 323-43 and Weymark 1981, the rank-dependent approach is conceived explicity in terms of a weaker version of Rawls's maximin principle. See also Han Bleichrodt Enrico Diecidue and John Quiggin 'Equity weights in the allocation of health care: the rank-dependent QALY model' *Journal of Health Economics* 23, 2004, pp. 157–171.

[117] On this point see Cohen 2008 pp. 87-116, and David Lyons 'Rawls Verses Uilitarianism' in Henry Richardson (Ed) *Opponents and Implications of A Theory of Justice* Garland Publishing 1999,p.536.

[118] Adler 2012

[119] Fleurbaey, Tungodden and Vallentyne 2009

preferred to the impersonal egalitarian view on the basis that the latter is committed to a value over and above the value of individual wellbeing. We might ask whether the relative prioritarian is not himself committed to such a value. Secondly and relatedly, the view requires that if there are two or more individuals at a given welfare level, rank order positions should be allocated arbitrarily amongst them[120]. Then suppose, (5,5,5)=35 (5x1+5x2+5x4), we might want to ask how it is plausible that the welfare of the equally well off 3rd placed individual counts for four times as much as the *very same amount* enjoyed by the 1st placed person simply because she occupies that particular position in the distribution.

Next, egalitarians argue[121] that if a gap of *n* between two or more people is bad, then a gap of 2*n* is more than twice as bad, and a gap of 3*n* more than three times as bad…, and so on, as the gap of *n*. This is one way that that egalitarians argue that the size of inequalities are to be distinguished from their badness. They also argue that size and badness can be distinguished in a second way. While, at any given level, a gap of 2*n* for someone at that level is more than twice as bad as a gap of n, they deny that a gap of 2*n* at a relatively higher level is more than twice as bad as a gap of *n* at a relatively much lower level. This view holds, roughly, that a gap of n units matters more at low levels than high levels.[122]And they hold, at least these two views, regarding relative inequality, consistently with the claim that among *unequally* deserving people, gaps of whatever size, at whatever level, need not be bad *at all*. In contrast the relative priority is entirely neutral on this ideal. This is because it is insensitive to equi-propotional changes in welfare that do not alter rank-order positions. For example, consider another three person case and two outcomes, x (100, 50, 20)=280, (100x1+50x2, +20x4), and y (1000, 500, 200)=2800, (1000x1 +500x2+200x4). The relative priority view would judge y to be better than x, since y has a higher sum of weighted welfare, and the worse off person

[120] Weymark 1981

[121] I draw here on Larry Temkin 'Measuring Inequality's Badness: Does Size Matter? If So, How, If Not, What Does?' *Theoria* 69, no.1, 2003 pp. 84-107

[122] Temkin 1993 ch.6.

fares better in x compared to y. The view cannot capture the idea that the worse off person is now *worse* off in *y* than she was in x. The proportional increase in y does not alter rank order position, the worse off person is still ranked third in the distribution, and the relative weights to each person's wellbeing remain exactly the same in y as in x. So it is incapable of judging that a gap of 800 units between better and worse off might be *worse* than a gap of 80 units between better and worse off. And this is because it does not pay any attention whatsoever to the size or magnitude of the gaps or distances between persons. It can only register the idea that 200 is less than 500, and 20 is less than 50, but 200 is more than 20. This also means that, it is incapable of registering the thought that it is *worse* to be worse off at a lower level than it is to be worse off at a higher level.

I reject the relational prioritarian view. I also reject 'moderate' egalitarianism. Therefore I also reject the idea that the relative priority view is extensionally equivalent to egalitarianism. Recall that, as its advocates claim, extensional equivalence would give the *moderate* egalitarian a reason to be, at least *indifferent* in a choice between the two views, and that, moreover, because it completely avoids levelling down by giving up the 'in-one-respect-better' claim, relative prioritarians argue that this should tip the balance in favour of their view. However, as I believe as Scanlon[123] and Temkin[124] have convincingly demonstrated, there are certain cases which tell powerfully against endorsing 'moderate' egalitarianism.

[123] Thomas Scanlon 'Nozick on Rights, Liberty, and Property', *Philosophy & Public Affairs*, 5 pp.3–25, see especially pp.9-10. See also Harry Brighouse and Adam Smith 'Equality, Priority, and Positional Goods', *Ethics* 116 pp. 471–97. If there *are* such things a positional goods, then, with regards to these goods, as Fred Hirsch puts it "there is no such thing as levelling up. One's reward is set by one's position on the slope, and the slope itself prevents a levelling, from below as well as from above." See Fred Hirsch *Social limits to growth* Routledge, 2005 pp.177

[124] Temkin 2003a, 2003a, 61—87

Since Phillip Pettit's[125] pathbreaking works on the subject, many people accept the idea that freedom consists in a relation between people characterized by the absence of domination. The concern about domination is not a concern about what *actually* happens to you, as in freedom as non-interference,[126] in which you are unfree just in case you face a hindrance or constraint on an option, but is instead is a concern about being subject to the uncontrolled *power* of another to make things happen to you, even if that power is never actually exercised. The badness of domination resides in the fact that it entails subjection, and so violates equal status and respect owed to all. If we say that the one person dominates another only if the domination leaves her worse off than she would have otherwise been, we commit ourselves to the claim that benevolent masters don't dominate their slaves. Which implies that slaves would be free if their masters are sufficiently benevolent. But if slavery is paradigmatic case of unfreedom this must be implausible. Hence, if you are subject to another person's benevolent will, then while you will have freedom as non-interference, should that will turn malevolent towards you, you will suffer interference. But it is absurd to think that you can make yourself free by cosying up to or kowtowing to power in order to try to raise the probability of that will remaining favourable towards you. Hence it is plausible to assume that you can be made unfree just in case you are subject to the arbitrary or uncontrolled power of another, even if that power brings you benefits, or is never actually excised. Now, suppose there is a democratic society in which everyone fares quite poorly but certainly not very poorly. Now suppose, with the intention of making everyone better off, this society is the subject of a military coup. Perhaps the military leaders believe that democracy and constitutional rights hamper the flourishing of the people. Further suppose that over time the

[125] Phillip Pettit *Republicanism: A Theory of Freedom and Government* Oxford: Clarendon Press, 1997 *and On the People's Terms: A Republican Theory and Model of Democracy* Cambridge:Cambridge University Press, 2012.

[126] See for example Ian Carter 'How are Power and Unfreedom Related?' and Matthew Kramer 'Liberty and Domination' both in Cécile Laborde and John Maynor (eds.), *Republicanism and Political Theory*, Malden, MA: Blackwell Publishing, 2008.

military leaders establish themselves as a benevolent hereditary dictatorship. And that, despite their having all the political, economic and social power and influence it is possible to have, and there is only a vanishingly small probability of interference in the lives of the people, the military dictators are, after all, benevolent. Finally, suppose the leaders achieve gains for their society, fulfilling the ambitions of the coup, welfare is higher in the dictatorship than it was under the democracy, but the dictators and their coterie do very much better than everyone else. I am in agreement with Scanlon and Temkin that, in cases such as the above, it would be better, all things considered, if this society were transformed into a wholly egalitarian society where no one suffered from domination, even if this meant that the members of the hereditary dictatorship lost all of their political and social power and influence and thereby were much worse off as a result. I think this would be true even if it resulted in a tiny increase in the well-being of everyone else. I also agree with them that it might be better, all things considered, if the society were transformed into a wholly egalitarian society where everyone was treated with equal respect and no one suffered domination, even if this meant *only* that the members of the dictatorship were worse off as a result and everyone else's well-being was left unaffected. [127] Thus, I believe we should reject the idea that egalitarian principle should be combined with PPG.

Because I do not therefore believe that relative prioritarianism *does* arrive at the same evaluations of outcomes as non-moderate egalitarianism, I do not believe that those egalitarians who reject the moderate view, have *any* reason to be indifferent in a choice between the two views. And because adopting the former would eviscerate what is significant about egalitarianism in the first place, I do not believe egalitarians in fact have *any* reason to adopt this view. Unless they are caught in the grip of the RS, in which case it is doubtful that they would be egalitarians at all.

[127] Temkin 2003a, 80

Now, I do not deny that the relative priority view is not a plausible position in its own right. And moreover, I agree that because it might indeed be extensionally equivalent to some forms of 'moderate' egalitarianism its merits may indeed convince moderates, but I leave that up to them to judge. However I believe that moderates and non-moderate egalitarians alike would want to argue that *more importantly* that the relative priority view is *intensionally* incompatible with any form of egalitarianism that is grounded in reasons of comparative fairness or justice. And this at least would give the moderate a reason to refrain from an endorsement. Now, of course none of this solves any of the problems we began with. We are simply lead back to the claim that levelling down is not better in *any* respect. The deadlock with the non-egalitarian has not been broken, and I am begging the question regarding the value of equality if RS is true.

2.4 Welfarism and Justice.

In this final section I briefly review Temkin's response to the levelling down objection. I believe he has done enough to convince us that the objection is not at all devastating for the egalitarian. Temkin offers an inductive argument and so he will not prove that equality is a value. Nevertheless, if he is successful (and I believe that he is), his results would strongly imply that RS, at least in the form in which it was given in above, ought to be rejected. The argument concerns thought that there *are* non-welfarist values. That is: there are goods whose value does not reduce to how they affect sentient creatures, for better or for worse. (There is a large list, including, justice, perfection, truth, beauty, virtue, duty, promising, freedom, rights and respect). Unless one is, in Fred Feldman's words, a 'welfarist fanatic'[128], one must believe that there is a least one impersonal good with independent non-instrumental normative significance. If we are committed to the belief that there is at least one impersonal good, we must give up or restrict the scope of RS. Let us consider the case of proportional

[128] Feldman 2003 Ibid

justice. Consider two possible worlds. In WI there are a million happy saints and a million sad sinners; in W2 there are a million happy sinners and a million sad saints. Those who accept RS will have to say that the two worlds are of equal value and that there is *no* respect in which W1 could be better than W2, surely this must be false. Now consider another case. Suppose that there are two separate heavens, in H1 Pol Pot is at welfare level (1000) while in H2 Stalin is at (10). Further suppose that because both deserve to be at (2), Pol Pot and Stalin have more than they deserve. According to proportional justice it would make things, in one respect better, if Pol Pot was reduced to (10) and better all things considered if both were reduced to (2). Those wedded to RS would, however, not only claim that H1 is better than H2 but there is *no* respect in which it could be worse. Those who endorse relative priority view would say that if a benefit became available it would make things better all things considered to give it to the comparatively worse off person, we should give it to Stalin. Those who endorse the absolute priority view would say that if a benefit became available it would make things better all things if we gave it to the person who is absolutely worse off, again, Stalin. It would not be in *any* respect good to simply chuck that benefit away. And it would not be in any respect good to lower Pol Pot to (10). I believe most people would find their credulity strained by these claims. This must be because we believe that something other than welfare or, more generally, person-affecting value, has normative significance. And this contradicts RS. We must therefore reject RS.

In the Critique of Judgement, Kant asks us whether we would want to create a world which contained only person-affecting value. And what sort of world that world would be like. His response is as follows:

It is easy to decide what sort of value life has for us if it is assessed merely by what one enjoys (the natural end of the sum of all inclinations, happiness). *Less than zero*: for who

would start life anew under the same conditions […], which would… still be aimed merely at enjoyment?[129]

I believe that Kant is correct, at least in his assumption that a world of person-affecting value would be a world of sentient creatures but not a world of *persons* in the robust sense. It might indeed be a world of unbounded wellbeing, a land of Cockaigne, but I do not believe that it would be a world that anyone could truly call moral.

In conclusion, we have seen that the levelling down objection relies on a strong claim that all value is person-affecting in nature. We have considered and rejected a response that claimed we can modify egalitarianism in order to make it compatible with the person-affecting nature of value. We rejected this on grounds that it involves giving up the independent value of equality. Finally we saw that there are values other than person affecting value. If we are committed to at least one of these values we must reject RS. And finally we saw that to abandon all of these impersonal values to save RS, would entail a world we could not recognize as moral, we must therefore reject RS. This did not prove that equality *is* valuable. But it should leads us to reject the notion that because all value is person-affecting that it is not.

[129] Kant 2000, p.301 emphasis in the original.

3.

How Might (In)equality Have (Dis)Value?

3.1

In the previous chapter we saw the levelling down objection to egalitarianism was dependent on the truth of a strong wide person-affecting restriction on the nature of outcome value, which we called the Revised Slogan (RS). Recall that RS said that something *cannot* be good or bad, without its being good or bad *for* someone (that its presence makes his life go better or worse). We argued that RS should be given up since it is incompatible with values the goodness of which is independent of the welfare of persons. Many people believe that something can be good in the sense of its making the world go better ('good for the world' as Fred Feldman puts it) without believing that its presence makes someone's life go better.[130] We saw that, according to justice, it is good that people get what they deserve. If, for example, someone is getting more than she deserves, e.g., is at a higher positive level of wellbeing than she deserves, despite this being good *for* her, this must count in one respect negatively to the value of the state of affairs. Hence, it would be better, in one respect i.e. with respect to justice, if that person was at the level of welfare she deserved, even if this were to amount to a loss of welfare for that person.[131] According to RS, there is no respect in which such an outcome can be good because there is no one for whom it *is* good, only someone for whom it *is* worse. Another non-person affecting value which we will be looking at in later chapters is perfectionism.[132] According to perfectionism it is in one respect good

[130] see for instance Feldman 2003, Chris Heathwood 'Fitting Attitudes and Welfare' in Russ Schafer-Landau *Oxford Studies in Metaethics* Volume 3, Oxford University Press, 2007, p.52, Kagan 2012, W.D Ross, The Right and The Good ,Phillip Stratton-Lake (ed),Oxford: Clarendon Press, 2002 p.35, Kant 'Critique of Practical Reason' in Mary J. Gregor (trans and ed.) *Immanuel Kant, Practical Philosophy,* Cambridge University Press 1996, p.189

[131] For the recent and perhaps most important work on the subject of desert see Kagan 2012

[132] Hurka 1993

that one develops and exercises one's essential human capacities for rationality.[133]. Suppose Alex has remarkable talent as a theoretical physicist. Suppose further that Alex chooses to instead purse her real passion for farming. Finally, suppose she fares well from farming, better than she would if she were to choose to pursue theoretical physics. Perfectionism claims that it would be in one respect better if Alex were to choose to pursue physics, since by pursuing physics she would develop her talents to a far greater degree. An outcome where she farms is in one respect worse than an alternative outcome were she practices physics, despite the former being better with respect to her level of wellbeing.[134] If those who are committed to RS, are also committed to at least one value the goodness of which is independent of benefits and burdens to individuals then they will be required, at least, to limit the strength of this principle. Since a weaker version of RS does not lead to the levelling down objection, the non-egalitarian cannot appeal to RS in her objections to egalitarianism. Where does this leave us? In arguing against RS, we have of course not offered a positive argument for the value of equality. And, furthermore, non-egalitarians may still deny that equality is any kind of non-instrumental value on independent grounds, that is, without committing themselves to the truth of RS. I believe that those who find it difficult to see how equality could be non-instrumentally valuable on the following basis; final value, or the value something has as an end supervenes on non-evaluative properties of things. Yet equality, like freedom, truth, knowledge forgiveness, mercy, respect and recognition, is a relation and relations are not *of* anything but rather hold *between* things. In this chapter we will not be attempting to provide an axiology but rather more narrowly we shall be concerned to give an account of how relations can be of value.

What I want to try to puzzle in this chapter is whether relations have value over and above the value of their relata. The view that they do is what I call the anti-reductionist view about

[133] Hurka 1993
[134] Hurka 1993,p.56 I borrow this example from Dale Dorsey 2010

relations. The reductionist view is a denial of this view. Take for example, freedom. If freedom is a relation between, an agent, an agent imposed constraint and the doing of something X,[135] does the value of freedom reduce at least in part to the value of 'being able to do X'? Similarly with desert, desert is understood in terms of a relation between an agent, some level of virtue, and an amount of wellbeing.[136] Does the value of desert reduce in part to value of wellbeing? Stephen Kershnar writes against the idea that desert-satisfaction itself could have value that "it is hard to see how a mere abstract relation such as desert, as opposed to a mental state, is capable of being intrinsically valuable."[137] For 'desert' read any relation you like, and for 'mental state' read monadic property. The reductionist says that relations are all explainable in terms of non-relational facts. So the question becomes, in the case of relational goods, do these goods have value only and because of the value of their relata?

3.2 Distinctions in Value.

Due to Korsgaard's paper 'Two Distinctions in Goodness,'[138] it is common to distinguish two ways in which things can have value and two ways in which we value things.

(1) The ways in which things have value:

(a) Intrinsic Value: X is intrinsically valuable if and only if it is valuable in a way that supervenes only on the intrinsic properties of X.

(b) Extrinsic Value: X is extrinsically valuable if and only if it is valuable in a way that supervenes on (at least some of) the extrinsic properties of X.

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[135] Felix Oppenheim *Dimensions of Freedom: An Analysis*, New York, St. Martin's Press, 1961, Ian Carter *A Measure of Freedom* ,Oxford University Press 1999, Kristjan Kristjánsson , *Social Freedom: The Responsibility View* Cambridge University Press 1996

[136] Serena Olsaretti, in her 2003, p.4 writes that the idea that desert is a relation is "one of the few basic points of substantive agreement among desert theorists"

[137] Stemphen Kershnar 'A Unified Theory of Intrinsic Value,' *Reason Papers* Vol.29, 2007, p34

[138] Christine M. Korsgaard 'Two Distinctions in Goodness' *Philosophical Review* 92 (2),1983,pp.169-195,. For two important criticisms of Korsgaard, see Rae Langton 'Objective and Unconditioned Value', Philosophical Review 116 (2), 2007, pp.157-185 , and Wlodek Rabinowicz and Toni Rønnow-Rasmussen 'A Distinction in Value: Intrinsic and For Its Own Sake' *Proceedings of the Aristotelian Society,* 100, 1999.

(2) The ways in which we value things:

(a) Final Value: X is finally valuable if and only if it is valuable as an end, or, for its own sake.

(b) Instrumental Value: X is instrumentally valuable if and only if it is valuable as a means.

We shall be referring back to some these terms later. Let us me now consider an important passage from Thomas Scanlon in which he writes:

[F]airness and equality often figure in moral arguments as independently valuable states of affairs. So considered, they differ from the ends promoted in standard utilitarian theories in that their value does not rest on their being good things for particular individuals: fairness and equality do not represent ways in which individuals may be better off. They are, rather, special morally desirable features of states of affairs or of social institutions. In admitting such moral features into the evaluation of consequences, the theory I am describing departs from standard consequentialist theories, which generally resist the introduction of explicitly moral considerations into the maximand. It diverges also from recent deontological theories, which bring in fairness and equality as specific moral requirements rather than as moral goals.[139]

We can interpret Scanlon in the above as making a claim about bearers of value, and types of value. It is being suggested that *what* it is that we evaluate, from the perspective of equality and fairness are 'states of affairs'. While, on the other hand, *what* it is that we evaluate from the perspective of welfare are states of persons ('good things *for* particular individuals' for example, 'P's being happy' or 'P's being benefited') and lives as collections of such states[140] and only derivatively states of affairs. Hence we have two kinds of things that are of value;

[139] Thomas Scanlon 'Rights, Goals and Fairness' in Stuart Hampshire (ed)*Public and Private Morality* Cambridge University Press, 1978 pp.99-100

[140] Freed Feldman *Pleasure and the Good Life* Oxford Clarendon Press, 2004 p. 195

equal and fair states of affairs on the one hand, and better or worse lives on the other. Secondly, although it is not made explicit, I suggest Scanlon would endorse the idea that equality and fairness, or rather, equal and fair states of affairs are valuable as *ends*; i.e., they are the kinds of thing that are valuable *for their own sake*, rather than for the sake of something else.[141] On this estimation such states of affairs have *final value*. As we will see shortly this generates a problem, for if equality and fairness are relations between things and not properties of things, and if a things final value supervenes on its properties, then we may ask how equality and fairness could be either finally or intrinsically valuable.

In his canonical work on egalitarianism, Larry Temkin[142] uses the label 'impersonal non-instrumental value' in order to draw the appropriate contrast with 'personal non-instrumental value'. Scanlon, for his part, does not use this terminology but instead suggests that equality and fairness are "*moral* features" or values of states of affairs where I believe the relevant correlate is 'prudential' rather than 'personal' value. This is a better distinction. I aruge that personal value is confusing since it does not distinguish between values independent of the welfare of persons, but which are however states, or, properties of persons, such as 'P's being virtuous', or, 'P's flourishing' in the perfectionist sense.[143] These two kinds of value are non-welfarist yet they are not impersonal, since they clearly refer to states of persons. In *Foundations of Ethics* Ross includes the latter along with creative activity and welfare pleasure in his category of personal goods[144] yet clearly distinguishes welfare from what he refers to as "moral and intellectual activities"[145] by which he means virtue and perfection. I

[141] See Shelly Kagan 'Rethinking Intrinsic Value' in Toni Rønnow-Rasmussen and Michael J. Zimmerman (eds) *Recent Work on Intrinsic Value* Springer 2005, Korsgaard 1983, Rabinowicz & Ronnow Rasmussen 1999
[142] Larry Temkin 'Egalitarianism Defended' *Ethics* Vol. 113, No. 4 ,2003, pp. 764-782
[143] Gustav Arrhenius has a nice discussion of this some of these themes in his 'The Person Affecting Restriction, Comparativism, and the Moral Status of Potential People' *Ethical Perspectives* 10, 3-4, 2003, 185-195 but he does not seem to recognize that some personal values such as virtue and desert are non-person affecting values.
[144] W.D Ross *Foundations of Ethics* Oxford Clarendon Press 1939, p.285
[145] Ross 1939, Ibid.

think we have reasons to reject Temkin's terminology and to instead endorse something along the lines of Scanlon's suggestion regarding idea that equality and fairness are moral values, though they are indeed also impersonal values in the sense that they do not refer to a property of persons. The problem with Temkin's label of "impersonal value" is that the term does not provide any positive characterization of the type of value that is at issue. Temkin explains the distinctions in value as follows:

[A] noninstrumental ideal [is] an ideal that [is] intrinsically valuable in the sense that its realization [is] sometimes valuable in itself, over and above the extent to which it promoted other ideals. Noninstrumental ideals have independent normative significance, and a complete account of the moral realm must allow for their value. Let us define personal noninstrumental ideals as ideals whose noninstrumental value lies in the contribution they make, when realized, to individual well-being. Such ideals are noninstrumentally valuable because of the extent to which their realization is good for people. In contrast, let us define impersonal noninstrumental ideals as ideals whose noninstrumental value lies partly, or wholly, beyond any contributions they make, when realized, to individual well-being. We might say that, qua being impersonal, such ideals are noninstrumentally valuable because of the extent to which their realization makes an outcome good, independently of, or beyond, the extent to which they are good for people.[146]

I am in complete agreement with Temkin that noninstrumental ideals do indeed have independent normative significance, and I agree absolutely, that a complete account of the moral realm must allow for their value. But the purpose of this chapter is to ask whether equality is a "noninstrumental ideal" and to try to answer the question of how it has value. And on these two points I find Temkin's analysis confusing. Firstly, he seemingly reserves the use of 'impersonal' and 'personal' to refer to two distinct bearers of value, and not to two

[146] Temkin 2003, pp.777-778

kinds of value. 'Impersonal' is appended the value of *states of affairs*, or, outcomes, and 'personal' is appended to the value of states *of persons*, or lives, qua collections of states. I think this is fine as it goes but it is somewhat confusing and uninformative. He then uses 'non-instrumental'/'instrumental' to distinguish between two types of value. This use of the impersonal/personal distinction to refer to bearers of value, has certain similarities with Fred Feldman's analysis in which he proposes that the evaluation of *worlds* and the evaluation of *lives* make use of different considerations.[147]Zimmerman has pointed with respect the above claim that it seemingly suggests that the *items evaluated* account for the distinction in evaluations, rather than the *types of value* in terms of which the evaluations are made.[148]Next, Temkin seems to be suggesting that if something has 'non-instrumental' value this entails its having 'intrinsic' value, and conversely, if something fails to have 'intrinsic' value this must entail that it has 'instrumental' value. Finally, states of affairs may either have 'impersonal intrinsic', or 'impersonal instrumental' value, while states of persons, and lives, may have either 'personal intrinsic' or 'personal instrumental' value but states of persons and lives cannot be 'impersonally valuable' in either sense, nor can states of affairs be 'personally valuable' in either sense. I think this is a mistake, and we should reject Temkin's analysis. Referring back to Korsgaard, the proper correlate of 'intrinsic' is not as Temkin assumes, 'instrumental' but 'extrinsic'. It is false to claim that some things having 'non-instrumental' value entails it's having 'intrinsic' value, since something might have extrinsic or relational value, without its having intrinsic value and yet, extrinsic value is a type of non-instrumental value. But the category of extrinsic value does not feature at all in Temkin's analysis. We might also argue that instrumental value does not refer to a way in which something has value, but rather refers to a way in which we value things i.e. as a means to something else,

[147] Feldman 2004, p.195

[148] Michael Zimmerman ,'Feldman on the Nature and Value of Pleasure', *Philosophical Studies,* 136 (3) 2007 425-437 p.430, Zimmerman points out however that this is not Feldman's considered view.

rather than as an end.[149] If this is true, then modifying Temkin's analysis accordingly and placing it in relation to Korsgaard's schema above, things would either have intrinsic value and would be valued as ends, or they would fail to have value at all, and at best would be valued as a means to something else. I don't think this analysis can be right. Returning to Zimmerman's point above with respect to Feldman, we can interpret his suggestion as follows, the thought is: it is not because there are impersonal items or objects of evaluation that there is a type of impersonal value, and, conversely, it is not because there are personal items or objects of evaluation that there is a type of personal value. Zimmerman's claim is that the personal /impersonal distinction should rather refer to a distinction in types of value. His argument is that personal value is a species of extrinsic or relational value; it concerns a type of value relativized to the interests of persons.[150]However Zimmerman would surely not want to commit himself to the claim that all extrinsic or relational value is personal, since that would imply that relations hold only between objects and the interests or attitudes of persons. This would be implausible. I object that impersonal value should be reserved *solely* for intrinsic value as Zimmerman suggests, since I claim there is a species of impersonal extrinsic value. For example; a great work of fine art or literature may be valuable because it is highly original. Originality is an extrinsic value since it is a value that the work or art has only relative to other works of its comparison class. Hence the value of the work is extrinsic but bears no relation to the attitudes or interests of persons, thus on my reckoning this makes originality a species of impersonal extrinsic value.[151]

3.3. Ross: Situational Goods.

[149] Thought see Langton 2007

[150] I mean persons with the appropriate universal quantifier applied, so let me not conflate personal and subjective value.

[151] cf. Toni Rønnow-Rasmussen *Personal Value* Oxford University Press 2011, p.53, see also Kagan 1999, Rabinowicz and Rønnow-Rasmussen, 1999

I propose that we can understand Scanlon's above statement by looking at W.D Ross's idea of "situational goods".[152] When Ross talks about the value of justice he often claims that it is "a separate good" or "a different kind of good".[153] I think the same is true for equality as comparative fairness. But what does Ross mean by "different kind of good"? In the *Right and The Good*, Ross maintains that we have reasons of beneficence to promote what he refers to as the "generally recognized *personal* goods, either in the way of good moral or intellectual activities or in the way of pleasure." And in that work he maintained that both the duty of justice and the duty of benefice, can be subsumed under the general duty to promote as much good as possible.[154] However, in *Foundations of Ethics*, he rejects this view. He there argues that a duty of justice should not subsumed under the category of a general duty to promote the good because a duty of justice is not a duty to promote the "generally recognized personal goods"[155] which the general duty to promote the good requires us to promote. He puts this thought in the following passage:

One of the great puzzles of ethical theory lies in the sense we have of obligations to do certain thinks which do not seem likely to bring into being the greatest possible amount of any of the generally recognized *personal* goods…we feel an obligation to do justice as between different people, even when we do not think that the sum of goods either moral or intellectual or hedonistic will be increased thereby.[156]

This does not imply that Ross conscripts justice to a theory of the *right*. However, it can be objected that if justice is not itself part of a theory of the right then Ross's paragraph is absurd since it amounts to saying we have a duty to promote a the good which does not increase goodness, and second that if justice were part of the good, then the values of states of affairs

[152] Ross 1939, p.286
[153] Ross 2002, p.138
[154] Ross 2002, p27
[155] Ross, 1939, p.285
[156] Ross, 1939, ibid.

would be made to turn on normative features (i.e. on absolute and/or comparative justice), and no consequentialist theory makes use of normative features in this way.[157]Finally we mix up the right and the good in another more fundamental way, that is deontic conceptions such as reasons and obligations, are relational and polyadic while goodness or value is a simple monadic property of things hence value and reasons are utterly distinct things, by claiming that goodness is relational we collapse this distinction.[158] Theories of justice and fairness may well be part of the right, but they have no place in value theory.[159] But this response seems arbitrary and question begging, firstly it presupposes the truth of the argument attributed to that Moore that intrinsic value supervenes on intrinsic properties. Which implies that that the only properties that can contribute to intrinsic value are intrinsic properties. However, beginning with Korsgaard something can have very well have final value without having intrinsic value. I reject both of these claims. Ross[160] believes that a just state of affairs "is a *good*"[161] not part of the right. And he thinks this goodness or value consists in its having features that make it a worthy object of interest or satisfaction.[162] This idea of value is close to a 'buck-passing'[163] or, a 'fitting attitudes' view.[164] But what are the features that are possessed by a just state of affairs which makes it a worthy object of interest? Ross answers;

[157] Fred Feldman Adjusting Utility for Justice: A consequentialist reply to the objection from justice in his *Utilitarianism, Hedonism and Desert Cambridge* University Pres,1997 p173.
[158] Jonathan Dancy 'Should we Pass the Buck?' in Toni Rønnow-Rasmussen and Michael J. Zimmerman (eds) *Recent Work on Intrinsic Value* Springer 2005,
[159] Frances Kamm for example, argues for this point in her 'Health and Equity' in Christopher J.L Murray, Joshua A. Salomon, Colin D. Mathers, and Alen D. Lopez *Summary Measures of Population Health: Concepts, Ethics, Measurement and Applications World Health Organization*, 2002
[160] Along with at least, Aristotle, Aquinas, Kant, Rousseau see n41 above, Brentano and Moore also hold that desert satisfaction is one aspect of intrinsic value in the world. See Franz Brentano, *The Origin of Our Knowledge of Right and Wrong* trans. Roderick M. Chisholm and Elizabeth H. Schneewind Abingdon: Routledge, 2009 p. 100; G.E. Moore, *Principia Ethica*, revised edition. Cambridge: Cambridge University Press, 1993/1903, pp. 263–264.
[161] Ross 1939, 289
[162] Ross 1939, 286
[163] Scanlon 1998, Derek Parfit 'Rationality and reasons' In Egonsson, D. et. al. (eds.), *Exploring practical philosophy*, essays in honour of Ingmar Persson, Ashgate, 2001, pp. 17-39
[164] See Francesco Orsi 'David Ross, Ideal Utilitarianism, and the Intrinsic Value of Acts' *Journal for the History of Analytical Philosophy* Volume 1, Number 2, 2012, Orsi writes; "It is clear that [Ross] regards [situational goods] as genuine goods, since they are worthy objects of satisfaction (ibid.), and presumably complex but basic ones, in that their value does not reduce to the value of the happiness (or disvalue of pain) that the obtaining (or non-obtaining) of these goods involves."

the distribution of pleasures among others in proportion to their goodness.[165] And these same features he argues also ground a duty to act justly, that is, to ensure that just outcomes obtain. He adds that a just state of affairs is a worthy of satisfaction, one which we ought to promote "over and above the good which consists in the meritorious character or its activities, and that which consists in…happiness".[166]So in response to the above objections, it is true that justice cannot be a *personal* good, because it is not a good that as Ross explains, is "resident in individuals"[167] qua a monadic property of individuals. But this does not imply that justice is not *a* good. Following Aristotle[168] Ross recognizes that justice is instead a value which holds in "relations between individuals".[169] Ross is arguing here that a theory of value must recognize justice as a 'different kind of good', or "good in different senses"[170] which, after Nicoli Hartmann he calls a "situational good", or, "state-of-affairs-value"[171]. Hence the lesson from Ross is that when we talk about the value of equality or the disvalue of inequality, or more generally, when we talk about how people fare relative to one another we are talking about states of affairs in which certain kinds of relations between people obtain. Inequality like freedom, desert, knowledge, truth, respect, recognition, is a relation holding between persons. All of these goods are 'situational' in Ross's sense. So we need to see how they could have value. Now, there are very tricky metaphysical issues which we need to try to grasp before we can offer something in the way of an answer. We need to go through a bit of metaphysics because almost all theories of value be they fitting-attitude theories, buck-passing accounts or Moorean views, they all make reference to supervenience on properties

[165] Ross 1939, 286.
[166] Ross 1939, ibid
[167] Ross 1939, ibid,
[168] Aristotle 1999, Book V, p.71
[169] Ross 1939, 286
[170] Ross 1939, 288
[171] Ross 1939, 286, n1.

of things.[172] For example, Mooreans understand value to supervene *only* on intrinsic monadic properties of things and they argue that all final value is intrinsic. Non-Mooreans argue that value supervenes on properties but these need not be intrinsic. The can therefore be relational properties. But relational properties depend on relations and properties. So relations are more fundamental than relational properties. So what are relations?

3.4 Relations, properties, and reductionism

We can firstly distinguish between properties and relations. Intuitively we can say that while properties hold of things that possess them, relations are borne by one thing to another, or, alternatively, they hold between things.[173] When we say that A is square, or A is metal, then we are saying that there is a property 'being square' or 'being made from metal' that A possesses. Hence if A possesses the property of 'being made out of metal' *intrinsically*, then we say that this property is monadic. All intrinsic properties are monadic. Monadic properties are one-place properties, they can be possessed by things individually. But not all monadic properties are intrinsic. For example, the property 'being a man' is essentially monadic, but the property 'being a father' seems to be essentially relational. A person x is a father, just in case, x is a man, and there is another person y, such that y is the progeny of x. One cannot determine whether x is a father just by studying x alone; one has to take into account the relations which x has to at least one other person, e.g., y. But even if the property of 'being a father' is essentially relational it can be designated by a monadic predicate; 'is a father'.[174] However relational properties are not fundamental since they are entirely reducible to

[172] Buck passing accounts of which Scanlon and Parfit are the most important proponents, understand value to reduce to reasons. These accounts take reasons as primitive and value as a placeholder for the reason-giving features or properties of an object. For example the fact that the holiday will be pleasant give us a reason to go on holiday. The value of the holiday just consists in the lower order reason giving properties of the holiday. Moorean accounts typically reject this view. They take value to be a primitive and unanalysable property of things. See n42 above.

[173] Fraser MacBride 'Relations' *Stanford Encyclopaedia of Philosophy* available accessed 2nd May 2016, http://plato.stanford.edu/entries/relations/

[174] Iikka Niiniluoto *Truthlikeness* Reidel Publishing , 1987, p.457.

relations and properties.[175]When we say that London is to the west of Bristol or that, A is more massive than B, then we are saying that there is a certain kind of relation which holds between London and Bristol, and between A and B, i.e. the relation 'being to the east of' and the relation 'being more massive than'. Now we need to consider the crucial distinction between internal and external relations. According to David Armstrong and David Lewis[176] an internal relation such as being 'taller than', is one which supervenes on the intrinsic properties of the relata. That is, if the relata exist then the relation holds between them internally, if and only if the relata have the properties they do intrinsically. As Ingvar Johansson notes, most philosophers use the following definition of an internal relation[177]:

Internal Relation: a relation is internal iff, necessarily, given the relata a and b, then aRb.

Take the comparative 'taller than' relation of height. Suppose that John is 5'10" and James is 5'11", then it is true that 'James is taller than John', and that 'John is shorter than James'. Some writers argue that each of these facts are made true just in case John has the height that he actually has and James has the height he actually has; hence it is not possible for James and John to have the heights they actually do and for James to fail to be taller than John. Keith Campbell has a nice example "if God makes an island A with so much rock, soil, etc. as to amount to 20 hectares, and subsequently, an island B of 15 hectares extent, there is nothing more needing to be done to make A larger than B."[178]Thus, if God brings it about that there are purely monadic facts about this amount of rock and other purely monadic facts that there is this amount of soil, God has thereby brought it about that A is larger than B.

[175] David Armstrong *A World of States of Affairs* Cambridge University Press, 1997, pp.91-93
[176] David Armstrong *Universals: An Opinionated Introduction*. Boulder, CO: Westview Press, 1989, p.43; David Lewis On the Plurality of Worlds. Oxford: Blackwell 1986, 62
[177] Ingvar Johansson 'All Relations Are Internal – the New Version' *Philosophiques*, vol 38, no. 1, Spring 2011.
[178] Keith Campbell *Abstract Particulars*, Oxford: Basil Blackwell, 1990, p. 103

There is no further fact that God must bring about in order to bring it about that A is larger than B.[179]

Indeed, it is natural to suggest that James' being taller than John is nothing beyond their individual heights. Supposing that things have their heights intrinsically, then the taller than relation is internal. And as Armstrong claims, internal relations are "an ontological free lunch".[180]They are "not something extra"[181]they "are not an addition to the world's furniture"[182]they "are not the sort of relations we should be focussing on in ontology".[183]Internal relations therefore reduce entirely to the monadic properties of the relata. However, due originally to Russell, not all relations are internal. Some relations are 'external'. And as Armstrong claims, external relations, unlike internal relations, are an addition to the world's being. One example of an external relation is the one we have already referred to above. The spatio-temporal relation 'being to the west of'. You could know all the monadic facts about London and all the monadic facts about Bristol, it and all the monadic conjunctive facts about London *and* Bristol without knowing that London is west of Bristol. God could create each city, filling each with the requisite number of persons, cafes, etc. until every monadic fact concerning London and Bristol was made true, and he would still not have brought it about that London is south of Bristol.[184] Now, absolutists are reductionists about relations[185], when the see a relation they want to try to reduce it to the intrinsic or monadic properties of things. Comparativists are anti-reductionists, they hold that relations can be made true only by irreducibly relational facts. Bertrand Russell was a famous anti-

[179] I owe this paragraph to Josh Parsons, 'Are There Irreducibly Relational Facts'. In E. J. Lowe & A. Rami (eds.), *Truth and Truth-Making*. Acumen 2009, pp. 217-226.
[180] Armstrong 1989, 56.
[181] Armstrong 1989, Ibid
[182] Armstrong 1997, 87
[183] Armstrong 1997, 92
[184] Armstrong Ibid
[185] Shamik Dasgupta 'Absolutism and Comparivism About Quantity' accessed 4th June 2016 http://www.marcsandersfoundation.org/wp-content/uploads/paper_Dasgupta.pdf.

reductionist about relations. Let us see what he can teach us about inequality. Suppose that Andy stands in a relation of inequality to Betty. Inequality like the 'taller than' is an asymmetric[186] comparative relation. Suppose that Andy is at (10) and Betty is at (20) units of welfare. It would seem that because of the intrinsic nature of the numbers '10' and '20', Andy and Betty of necessity, stand in this relation. Recall Armstrong's definition of internal relation stated that a relation will be internal iff, necessarily, given the relata a and b, then aRb. So because 20 is necessarily greater than 10, there is no way that 20 could fail to be less than 10, thus Andy and Betty stand in the relation of inequality they do, simply because of Andy's having the amount of welfare he does and Betty's having that amount of welfare she does. So we can finally reduce the relational to the non-relational intrinsic properties of Andy and Betty. 'Andy is better off than Betty' is made true by the intrinsic properties of Andy and Betty, and so there is no irreducibly relational state of Andy and Betty. Or, what amounts to the same thing, the relation between Andy and Betty is nothing *real* over and above the monadic non-relational properties of Andy and Betty. Russell[187] argues against the reducibility of asymmetric transitive relations in general. He points out that in order to argue this way, we must posit a relation between the magnitude of Andy's welfare and the magnitude of Betty's welfare.[188] As Russell puts it: "Quantities are not properly greater or less, for the relations of greater and less hold between their magnitudes, which are distinct from the quantities."[189] Hence, "better off than" can be reduced to the more fundamental 'greater than'. In our case, the fact that 20 is 10 units greater than 10, is a further asymmetric

[186] Symmetric Relations: A relation R is symmetric iff whenever x bears R to y, y bears R to x. Asymmetric Relations: non-symmetric relations: R is asymmetric iff whenever x bears R to y, y does not bear R to x. McBride Neutral Relations Revisited

[187] Bertrand Russell, *Principles of Mathematics* Routledge, 2009, ch. 26, see especially pp. 221-225

[188] Russell, 2009, p. 159. Russell's definition of a magnitude is in part defined in distinction from a quantity, where a magnitude is "anything which is greater or less than something else" whereas "[a]n actual footrule is a quantity: its length is a magnitude. Magnitudes are more abstract than quantities: when two quantities are equal, they have the same magnitude."

[189] Russell 2009,p.165

transitive relation.[190]Russell argues that the 'greater than' relation between magnitudes cannot be treated in the same way as the 'better off than' relation between Andy and Betty, because there are no intrinsic properties of magnitudes in virtue of which they stand in the relations they do. Thus we have an external relation. I think the case for an external relation is further strengthened when we consider the other crucial egalitarian relation -apart from 'greater than', 'less than', and 'equal to' relation- that is the is 'x units of welfare away from', relation. This is because, as we mentioned above, all spatio-temporal relations are external. Now if these arguments go through, we can show that the inequality relation does not reduce to its relata. Thus we cannot simply value the equality relation because we value welfare. But we have not yet said how a relation can have value, since it remains the case that relations are not properties, and whichever view about value we choose, whether we adopt that is, a Moorean view which takes value as basic an unanalysable, or, a Non-Moorean view which analyses value in terms of reasons, supervenience on properties is common to both views. We rejected Dancy's reading that "Ross held that goodness is an intrinsic property, while rightness is a relation… goodness is a property of motives and that is not a relation at all. Moral goodness, in particular, is a monadic property."[191]

We saw that Ross indeed did hold that the class of situational goods referred precisely to kind of value holding between persons. Many of these goods, in particular, justice, are moral or ethical goods. They are distinguished from personal goods generally, on grounds that as relations they cannot be monadic properties of persons, such as virtue, or welfare. So Dancy is right to quote Ross as holding that one important kind of goodness is indeed a monadic property, for example, "acts of will, desires, and emotions, and finally relatively permanent

[190] Here I follow David Yates in his 'Is Powerful Causation an Internal Relation?' In Anna Marmodoro & David Yates (eds.), *The Metaphysics of Relations.* Oxford University Press, 2016, pp. 138-156
[191] Dancy 2009,p.42

modifications of character even when these are not being exercised".[192]But we also saw that Ross wanted to us to recognize situational goods as a different kind of good from the kind of goodness resident within persons.

I think there is actually quite a simple argument for the value of relations that would not differ too much from Korsgaard's argument for final value. Firstly, as we have already stated, a relation is not a property, yet relational properties can be finally valuable. But relational properties supervene on relations and properties. Relational properties are therefore less fundamental then relations. However we should not claim that if a relational property has value then this *entails* that the relation will have value. Consider the value of 'freedom' and of 'being free' where the former is a relation and the latter is a relational property. Assume that the freedom relation does not reduce to the value of its relata. To be sure, 'being free' may have final value quite apart from whether or not 'freedom' has value. Similarly 'being the father of" may have final value quite apart from whether or not'fathering' has value.[193] The second option is that if inequality is an external relation, then it is constitutive of a state of affairs. And many writers believe that states of affairs are among the kinds of things that are the bearers of value. So saying that comparative unfairness is disvaluable implies objecting to certain states of affairs obtaining. Both of these seem like viable options. I think that egalitarians are ultimately concerned with disvalue of a certain type of inequality relation. Specifically they want to reduce or eliminate comparative unfairness in relations between persons. Egalitarians are not primarily concerned about the value of equality relation. Yet I believe they should not deny that the equality relation has (some positive) value. I do not believe that the value of comparative unfairness reduces to relational properties of persons such as their 'being worse off'. Rather I think the disvalue belongs to the relation itself. And we mis-locate what is disvaluable about comparative unfairness, by

[192] Ross 1939, p. 292
[193] Cf. Armstrong, 1997, 92

attempting this sort of reduction. Indeed I am in full agreement with Temkin on the point that, if we believe that comparative unfairness is disvaluable then we must believe that it is bad that one is worse off than others through no fault or choice of her own, *and* we must also believe that it is bad that another is better off than others through no fault or choice of her own.[194] But ultimately what we want to reduce or eliminate is the relation of comparative unfairness on which these relational properties themselves depend on. Let me not go any further with trying to attach the value of egalitarianism to one or another metaethical view about value. Equality is a normative matter, and need to be able to accept or reject egalitarianism independently of our metaethics. Let me now simply summarise this section and offer a suggestion. We have argued that the inequality relation cannot be reduced to the value of its relata. We have also seen that whilst this blocks the view that equality only matters because welfare matters, we have also seen that this does not answer how relations themselves have value. Only that, whatever value they have will be independent of the terms of the relation. I believe that Ross is on the right track; situational goods are, like all goods, "objective facts of the situation"[195] and those facts are themselves reason giving, in the sense that they give us reasons to take an interest in the thing. Moreover they give everyone-or, as Ross puts it they give the morally good spectator- reasons to (dis)favour them. This might seem to naturally lend itself to a buck passing view; where some thing's having the higher order property of goodness or value is to be explained in terms of other features (properties and relations) of the thing that provide reasons to take an attitude towards some thing. Such that, when something has these reason-giving features we can call the thing good, but calling the thing good, need not imply an additional property of 'goodness'. Rather, as Parfit puts it,

[194] Temkin 'Exploring the Roots of Egalitarian Concerns' *Theoria,* Vol. 69, 1-2 2003 125–151, see p.127.
[195] Ross 2002, p.20

calling or labelling a thing 'good' is "merely an abbreviation: a way of implying that it has such [other] features".[196]

3.5 Some axiological comments.

Let me finish this chapter by briefly considering a framework which might point the way to an view about axiology. I have said that egalitarians should be concerned primarily with the inequality relation. I therefore agree, at least in part, with Ingmar Persson[197], who has long argued that egalitarianism should primarily be construed *negatively*, that is, the fundemental egalitarian concern should be to reduce or eliminate a certain kind of *inequality* as a non-instrumentally *bad*-making feature of states of affairs. However, he assumes that if we agree with him on the claim that egalitarianism ought to be expressed in terms of a concern for the badness of *in*equality then we must be committed to claim that "*equality* is not *anything* good in itself", I disagree. Due to Temkin[198] and Hurka[199] I suggest we could well think of the inequality relation in terms of a spectrum of cases bounded on one side by perfect equality and *unbounded* on the other, as inequality becomes greater and greater. Inquality unlike equality, after all, admits of degrees. Focusing primarily on eliminating inequality, as Hurka suggests, makes equality perfectly achievable, whereas a value such as welfare or virtue is not something we can say can be perfectly 'achieved'. Inequality however, like vice, seems at least, to have no lower bound. However I do think we should allow equality to have some positive value,[200] yet it will nevertheless be the case that we can improve on perfect equality

[196] Parfit 2001, p.20
[197] Ingmar Persson 'Equality, priority and person-affecting value' *Ethical Theory Moral Practice* 2001, 4:23–39
[198] Larry Temkin 'Exploring the Roots of Egalitarian Concerns', *Theoria*, 69, 2003d, 125-151
[199] Thomas Hurka, 'Asymmetries in Value', *Nous,* Vol. 44, Issue 2*,* 2010 pp. 199–223
[200] I agree with Kagan 2012 ch.11 and Gustav Arrhenius in his Egalitarian Concerns and Population Change in Ole Frithjof Norheim (ed.) *Measurement and Ethical Evaluation of Health Inequalities*, Oxford: Oxford University Press, 2013 here. Even though equality and desert-satisfaction can both be perfectly realized it does not seem plausible to say that we should not favour greater amounts of desert-satisfaction or equality relations.

only by adding more equality relations to an already equal state of affairs.[201]We might have a reason to favour this *if* it did happen but no reasons to *act* so as to try to bring it about that it *does* happen. In a two person universe where A (10) and B (10) there is nothing more we can do by way of improvements to the equality between A and B. We might have no reasons for example to make it the case that (imagining they are male and female) A and B procreate to produce a further equalizable C. Though this does not imply that if C did come into existence that we would not prefer for C to be equal to A and B. Now, there are a number of suggestions here with regard to the positive value of equality. For example Gustav Arrhenius suggests that we might have an aggregation function for the negative value of unequal relations which would be strictly linear whereas we might specify an alterntaive aggregation function for the positive value of equal relations which might be a strictly increasing concave function with an upper limit.[202] But Arrhenius seems to want to allow for the positive value of equality to, at least sometimes, outweigh the negative value of inequality. I find it difficult to agree with this. Indeed, I have an obvious and general problem with Arrhenius's argument in that it offers no solution to the reduction or elimination of *in*equality. If reducing inequality is the egalitarian's fundemental concern which I think is highly plausible, then, for this reason, I think the reverse of Arrhenius' argument might well be true; if equality has positive value it should always be less than the disvalue of inequality. Secondly I am unsure how, outside situations of perfectly equality, his proposal could avoid making a bad situation worse by adding more equal relations to a situation. Placing an upper bound on the goodness of equality with diminishing marginal value, and no lower bound on disvalue of inequality, would allow that a large enough inequality can be greater in disvalue than any possible value of equality. That is, the incremental bad of inequality can be greater than the incremental good of equality. As Hurka has noted, this is similar to the suggestion Ewing made with

[201] Arrhenius, 2013
[202] Arrhenius 2013, p13

respect to the values of justice and injustice: "When I look at the two, injustice in punishment seems to me a *very much greater intrinsic evil* than justice is a good, especially if the injustice consists in punishing somebody for an offence of which he is not guilty or in excessive severity."[203] Whatever we decide about the positive value of equality, and as I say I agree with the spirit of Arrhenius's discussion; that *equality* should not have a merely neutral value, I think we should preserve Temkin's suggestion with regards to *inequality*[204]. As he suggests, the disvalue of inequality should be the starting point of the egalitarians moral concern. He suggest that as the gap between equally deserving people are very large, it can be reasonably clear that the inequality is bad, because unfair. As the gaps between equally deserving people become smaller and smaller, we can allow that the situation becomes less and less unfair, and so less and less bad. Still, as long as there are some undeserved inequalities it may seem plausible to think the situation is somewhat bad, because it is still somewhat unfair. He suggests that these cases could be represented with negative numbers, with the greater the inequalities the larger the negative numbers. As a situation's inequality gets smaller and smaller the negative number representing it will get smaller and smaller. Eventually, as gaps between people become infinitesimally small, so the negative numbers representing their badness become smaller and smaller approaching the limit of the bounded sequence of negative numbers. And that limit will be zero, which we may plausibly construe as the number representing a neutral situation.[205] This I think allows to say against Persson that the situation with perfect comparative fairness will be a situation in which there is a complete absence of badness or disvalue, represented as it would be by a non-negative number. However it would not suddenly go from being not bad to being good. I think this is an eminently plausible suggestion. However, it remains problematic since it would disallow

[203] A.C. Ewing, The Morality of Punishment London: Kegan Paul, Trench, Tubner & Co., 1929, p. 109
[204] Temkin 2003d
[205] See Temkin 2003d, 149-151

positive equality from ever being valuable, no matter how many equality relations were added to a state of affairs they would never go beyond having neutral value.

Let me now conclude with a brief summary of this chapter. We began by arguing that the anti-egalitarian should accept a weaker version of RS which would not lead to the levelling down objection. We noted that we had not of course not offered any sort of a positive argument for the value of equality. And, furthermore, non-egalitarians may still deny that equality is any kind of non-instrumental value without committing themselves to the truth of RS. We then suggested noting that equality is a comparative relation between people that one way this could be done would be to argue that the value of equality reduces to the value of its relata. We briefly considered a framework for the value of equality as a Rossian situational good. And we saw that using Russell's analysis equality could not be so reduced to its relata. Finally we looked at the bare bones of an axiology which focused on the disvalue of inequality, we saw that inequalities could be represented as a series of spectrum cases. In the next two chapters, we move from our discussions of egalitarianism to the relation between inequality culture and the arts. These chapters look at two of the most important moral and cultural theorists in the continental tradition Kant and Rousseau.

4.

Between Nature and Freedom: Kant, Culture and Moral Teleology

4.1

During 1780's,[206] Immanuel Kant had been committed to two interconnected ideas; the first of which being a theoretical idea[207] consisting of a teleological thesis of human nature and history, and the second being the moral-practical idea[208] of the highest good. However in his later work The Critique of the Power of Judgment Kant attempts to bring these two theses together, in order to develop a solution to the problem concerning the realization of morality in the sensible world, and through the new category of reflective judgement. In section II of the second, or published, introduction to the Critique of the Power of Judgement[209] Kant sketches out the problem concerning the "great gulf" separating two distinct orders of legislation; the understanding's legislation over "*concepts* of nature" over what *is,* through its explication of causal laws, and reason's legislation over "the *concept* of freedom" over what *ought to be*, and of which is not subject to laws of causal necessity. The problem then concerns how these two orders, legislating over the same domain of experience, could be, in some way, compatible without being reduced one to the other. That is, without collapsing into a single order in either direction, since collapsing what *ought to be* into what *is* would rule out the possibility of freedom and collapsing what *is* the case into what *ought* to be would run contra to the laws of natural science and would be nonsense. The formulation he gives us then is then following:

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[206] This section is indebted to the work of Henry Allison. I draw, in particular from his 'The Gulf between Nature and Freedom and Nature's Guarantee of Perpetual Peace' in *Essay's on Kant* Oxford University Press 2012, 217-229 and his *Kant's Theory of Taste, A Reading of the Critique of Aesthetic Judgment* Cambridge University Press, 2001, 197-218

[207] Immanuel Kant, 'Idea for a Universal History with a Cosmopolitan Purpose' in Hans S. Reiss, (ed*) Kant's Political Writings,* trans H.B Nisbet, Cambridge University Press 2003, pp.41-53

[208] Kant 'Critique of Practical Reason'1996.

[209] Kant 'Critique of the Power of Judgement', 2000, pp59-87

" . . .from the *former to the latter* (thus by means of the *theoretical* use of reason) no transition is possible. . . yet the latter *ought to* have an influence on the former, namely the concept of freedom should make the end that is imposed by ***its*** laws real in the sensible world; and nature must consequently also be able to be conceived in such a way that the lawfulness of its form is at least in agreement with the possibility of the ends that are to be realized in it in accordance with the laws of freedom." [210]

The problem then comes down to the following. Assuming that the moral law dictates to us certain ends which ought to be promoted, or realized, in the sensible world, it follows then that we must take nature (specifically human nature with it human history) as a condition of possibility under which any such realization of our freedom rests. However, we understand nature in terms of mechanistic laws, and thus as being indifferent to the realization of ends dictated by the laws of freedom. But since such ends must be taken to be achievable- for it would be irrational for an agent to act in the pursuit of an end that is impossible to achieve - we must therefore be able to conceive of nature as being compatible with our moral purpose. Thus a *transition* is needed from a manner *of thinking* in accordance with the concepts of nature to a manner *of thinking* in accordance with the concept of freedom.

In Section IX of the introduction Kant refines the terms of the problem. He tells us there that the "great gulf" is located between the "supersensible in the subject"[211] and phenomenal appearances. He will state in this section that although sensible nature cannot determine the "supersensible-in-the-subject", that is, human nature in its empirical-anthropological character, cannot determine what morally *ought* to be, Kant tells us, in stronger terms than those of Section II, that the latter should *determine* the former.

He writes:

[210] Kant 'Critique of the Power of Judgement', 2000, p. 63
[211] Kant 'Critique of the Power of Judgement', 2000 p.81

But although the determining grounds of causality in accordance with the concept of freedom (and the practical rules that it contains) are not found in nature, and the sensible cannot determine the supersensible in the subject, nevertheless the converse is possible (not in regard to the cognition of nature, of course, but in regard to the *consequences* of the former on the latter) and is already contained in the concept of a causality through freedom, whose effect in accordance with its formal laws is to take place in the world.[212]

The crucial concept which is being introduced here is that of "causality in accordance with the concept of freedom", or what Kant what amounts to the same thing; "free causality". He then argues that the *effects or consequences* of our free-causality, are to be thought of as coextensive with a "*final end* . . . which is to exist (or its manifestation is to appear in the sensible world)".[213] We should view this passage as expanding on the sentence in Section II which we saw spoke of "ends dictated by the principles of freedom", insofar as he is now referring to the doctrine of the 'Highest Good' as the distinctive moral project which we must conceive of as being realizable in the sensible world. This will concern the proportion of virtue and happiness of absolute justice. And he identifies that it is the nature of the subject "as a being of the sensible world, namely as a human being," that we must now treat as the crucial condition of possibility through which this final end or Highest Good is to be realized. Therefore it is necessary that we should be able to conceive of human nature's (and indeed human history's) amenability to the actualization of our moral freedom.

Finally then, we reach the section in which Kant introduces his proposed solution to the transition problem on which the significance of the Critique of Judgment is to rest. He is now able state the solution is to be found in a concept of *nature's purposiveness*; the supersensible substrate which is the ground of both nature and freedom. However, the deduction of this

[212] Kant 'Critique of the Power of Judgement', 2000, ibid.
[213] Kant 'Critique of the Power of Judgement', 2000, p.302

principle cannot be accomplished either by the understanding *or* by practical reason since as we have seen the understanding can only legislate over appearances, it can only provide theoretical knowledge of nature's causal laws, and pure practical reason only legislates over supersensible laws of freedom. Thus Kant tasks the *reflective* power of judgment to introduce this concept of nature's purposiveness, one that is to be added to our concepts of nature and to our concept of freedom in such a way that it is able to mediate between them and it is in the teleology which, as we will see, the significance of nature's purposiveness on the nature-freedom problem must be sought.

Having established what the nature-freedom problem consists in and its relation to the issue of moral ends, we now need to consider some of the arguments from §82 and §83 from the *Methodology* section in the 'Appendix to the Critique of Teleological Judgement' in order to understand how Kant's teleological thesis functions in relation to a transition between nature and freedom. I begin with an assessment of how Kant establishes the concept of an ultimate end of nature. I shall show that, having made the argument for the validity of the ultimate end in relation to a system of nature, Kant then makes the status of the ultimate end conditional on the realization of a further, final end of creation, which, he argues must be a moral one. I then provide an analysis of this concept of the final end. After we have established how Kant argues for these two fundamental concepts, we will then be in a position to return to the above arguments in order to focus on how he conceives of a transition between ultimate and final end and to see why these teleological concepts are central to his analysis of the concept of the arts and culture.

4.2 The Ultimate End of a System of Nature

Kant begins the crucial §83 in the *Appendix to Critique of the Teleological Power of Judgment*, in which he will attempt to work out the implications of the thesis that humankind

is the ultimate end of nature, by referring back to §82 where it was initially affirmed. He writes:

In the preceding we have shown that we have sufficient cause to judge the human being not merely, like any organized being, as a natural end, but also as the ultimate end of nature here on earth, in relation to which all other natural things constitute a system of ends in accordance with fundamental principles of reason, not, to be sure, for the determining power of judgment, yet for the reflecting power of judgment. [214]

Thus before we can consider §83 and so the argument for culture in any depth we shall firstly need to assess the argument to which Kant refers in §82 to in order to see how he is entitled to conclude that we have "sufficient cause", though certainly not proof, to judge the human being (or humankind) as (a) not *merely,* like any organized being, as a natural end; and (b) on the grounds of this distinction, to claim that humankind qualifies for the status of the ultimate end of a system of nature.

The argument to which Kant is referring marks the culmination of his discussion of the category of external purposiveness. [215] This is an idea concerning natural organisms standing in relation to one another as means stand in relation to ends, and where the latter may turn out to be means to yet further ends[216] Kant states the regulative principle or 'maxim of external purposiveness' as the following:

everything [every natural end] in the world is good for something, that nothing in it is in vain; and by means of the example that nature gives in its organic products, one is justified, indeed called upon to expect nothing in nature and its laws but what is purposive in the whole.[217]

[214] Kant 'Critique of the Power of Judgement', 2000, p297
[215] See Kant 'Critique of the Power of Judgement', 2000,pp.233-234
[216] Kant 'Critique of the Power of Judgement', 2000, p.293
[217] Kant 'Critique of the Power of Judgement', 2000, p 308

Judging natural organisms firstly by the concept of internal purposiveness, on the maxim which states that: the natural dispositions of each animal are optimally purposive or suitable for the goals for which the animal is destined, leads us to infer external purposiveness, and finally leads us to the question as to whether nature as a whole might be thought of as a *system* of purposes working towards the realization of some universal end. Kant's argument turns on the question of whether there is something within nature, the existence of which can unify a plurality of ends into a system; an end which is *ultimate* through its relation to other ends, and therefore something in which the natural chain of means and ends terminates. Such a universal end is what Kant calls the 'ultimate end of nature as a teleological system'. And, in referring to Allen Wood's commentary, the rational necessity for an ultimate end, in relation to the validity of the concept of a *system* of natural ends in reflective judgement, can be understood to be as follows:

"Without an ultimate end, every aggregate of ends is incomplete. Without an ultimate end, there would have to be either a plurality of ends in which the teleology terminates, or else every member of the aggregate had a further end somewhere else within the aggregate. In the former case, the aggregate would lack unity and not constitute a true system (or realm) of ends. In the latter case, the resulting chain of ends would run on endlessly and the whole would be without an end. If either nature or morality (or both) is to constitute a system of ends, it must have an ultimate end."[218]

Kant then claims that humankind is the only suitable candidate for a type of natural end which might qualify for the status of an ultimate end and he justifies this claim on the grounds that humankind is the only natural species endowed with the capacity to voluntarily set ends for itself. Humankind he writes: "is the only being on earth who can form a concept

[218] Allen Wood *Kant's Ethical Thought* Cambridge University Press,1999, p.310

of purposes and use his reason to form an aggregate of purposively structured things into a system of purposes."[219]

We can summarise the argument above as follows: (a) judging nature in accordance with the idea of a system of natural purposes presupposes that there is something, or some species, that is an ultimate end of this system. (b) the only being in nature which can qualify for the status of the ultimate end is humankind,[8] since it is the only species which possesses the capacity for setting itself ends ("any ends in general", not merely those which are morally required). (c) This end-setting capacity explains why human beings may be judged to be the ultimate end, since this capacity is what distinguishes human beings from *mere* natural ends on the grounds that humankind is the only type of being suitably wired up to be able to grasp and deploy the *concept* of a purpose,[220]and therefore humankind is the only species within nature which is not itself a 'closed organism', with an end which is determined for it, since it is human beings alone, on the basis of the possession of the capacity so described, have the ability to (a) use nature (both internal and external) as a means in determining for itself an end, and (b) through the further use of its reason is able to unify an aggregate of ends into a system. Thus, if we take these two aspects together we can say that humanity, in distinction that is from *mere* natural ends, is endowed with a specifically *rational* capacity.[221]However such a conclusion cannot be *final* since nothing in what we have said so far can tell us why such a species of rational beings is to exist at all[222] and it is this problem which transfers us into morality, since the purpose of human existence can only be one which human beings give to themselves, independently of the cooperation of nature, and therefore from their

[219] Kant 'Critique of the Power of Judgement', 2000, p.295
[220] However, to avoid obvious charges, Kant tells us he means "rational beings in general" , and not *necessarily* a particular biological species see Kant 'Critique of the Power of Judgement', 2000, p.308
[221] I use a 'Brandomain' phrasing here. I suggest a confluence between Kant's own distinction here and Brandom's own (Kant-inspired) 'sapience'/ 'sentience' distinction. See Robert Brandom Making it Explicit: Reasoning, Representing, and Discursive Commitment, Harvard University Press,1994 pp4-7.
[222] Here I am in agreement with John Atwell's presentation of this point of the argument, see John Atwell *Ends and Principles in Kant's Moral Thought*, Martinus Nijhoff Publishers, 1986, p.24.

freedom. Thus the extraordinary outcome of Kant's argument: a purely scientific study of nature leads us to morality. The purpose of the ultimate end of nature therefore can only be a moral one. We can then say that, although the argument is not operative at this point, the *ultimate* end of a system of nature must be dependent upon a *final end* of creation, something which is unconditioned and outside nature. Therefore, nature has no purpose until we give it one by giving *ourselves* a purpose.[223]Returning now to the argument in §83. As we have said, the thesis regarding humankind as ultimate end of nature leads us to ask a *further* question, for what purpose has nature endowed humankind with the rational capacity to set-ends? In order to provide an answer to this question Kant suggests that we now have to look *within* the species itself, "among all his ends in nature" so as to specify, firstly; the *general* kinds of ends which we human beings set and pursue, and secondly; from these ends to assess which might qualify as an ultimate end of nature for us. For now we can say that two candidate ends emerge, these are: happiness and culture, and we will want to know lwhy Kant supposes there are only two such ends. At this point however, Kant is asking whether the purpose for which nature has endowed humankind with the capacity for practical reason[224] , lies in the attainment of happiness, defined as; "the kind of end that can be satisfied by the beneficence of nature itself" and as "the sum of all the ends that are possible through nature outside and inside of the human being".[225] Or, on the other hand, whether this ultimate end of nature for humankind is purely formal "[t]he production of the aptitude of a rational being for any ends in general (thus those of his freedom)" which Kant calls 'culture'. In order to assess which of

[223] Allison 2001, p.211, see also Henry Allison Kant's Groundwork for the Metaphysics of Morals: A Commentary, Oxford University Press,2011, p.42. Wood, 1999 p.311

[225] Happiness here is given in terms of the definition which Kant provides across the corpus. As the idea of a sum-total of satisfaction of our needs and inclinations, happiness is also a totalizing end that underlies every human being's subjective relation to her manifold desires see Kant Groundwork for the Metaphysics of Morals in Kant 2000 p.70 On this issue see Allen Wood, 'Kant vs. Eudaimonism' in Predrag Cicovacki (ed.), *Kant's Legacy: Essays Dedicated to Lewis White Beck* Rochester: University of Rochester Press, 2000.

the two candidates might qualify for the status of an ultimate end of nature, Kant introduces a key conditional argument.

Half-way through 83 he states that:

As the sole being on earth who has reason, and thus a capacity to set voluntary ends for himself, he is certainly the titular lord of nature, and, if nature is regarded as a teleological system, then it is his vocation to be the ultimate end of nature; but always only conditionally, that is, subject to the condition that he has the understanding and the will to give to nature and to himself a relation to an end that can be sufficient for itself independently of nature, which can thus be a final end, which, however, must not be sought in nature at all.[226]

And immediately following this he restates the aims of this section of the argument:

In order . . . to discover where in the human being we are at least to posit that ultimate end of nature, we must seek out that which nature is capable of doing in order to prepare him for what he must himself do in order to be a final end, and separate this from all those ends the possibility of which depends upon conditions which can be expected only from nature.[227]

Happiness therefore, as a natural end, by definition, does not meet the condition of being "distinguishable from those ends the possibility of which depends upon conditions that are given by nature" therefore; happiness cannot serve as a candidate for the ultimate end since it cannot provide a unique or coherent final end to the system of nature. Indeed, of happiness, Kant writes:

[226] Kant 'Critique of the Power of Judgement', 2000, p.298
[227] Kant 'Critique of the Power of Judgement', 2000, Ibid.

earthly happiness . . . that is the matter of all of his ends on earth, which, if he makes them into his whole end, make him incapable of setting a final end for his own existence and of agreeing with that end. [228]

But equally, as we have already seen, assigning something, or some species the status of an ultimate end of a system of nature is dependent on being able to attribute a capacity to that species which allows us to distinguish it from the rest of nature. And on the basis that possessing such a capacity means that the species under consideration does not have an end which is determined for it by nature. Therefore if a natural end such as happiness was to be identified as; "the true vocation of practical reason" that is, if the purpose of practical reason was to provide the human species with a sophisticated mechanism for the pursuit of its own welfare, then the human species would therefore have an end determined for it by nature, which would rule out freedom, and humankind would be just another link in the chain of means and ends. Thus there would be no ultimate end and therefore no justification for our conceiving of nature as a system of ends. Rather, since nature has endowed us with practical reason, we are necessarily able to set ends for ourselves, at least in partial independence from nature. Moreover it is through our setting ends that, not only do we give ourselves an end, but we further develop our *capacity for* setting ends in general. That is to say; through setting ends that we are able to "increase as much as possible the skill for fulfilling ends that have been thought up. [229]

Referring once more to the maxim of internal purposiveness, we might put the argument in the following way: insofar as the natural dispositions of each organism are optimally purposive or suitable for the goals for which the animal is destined, if on the part of the human species those natural dispositions or capacities are considered to be the capacities for

[228] Kant 'Critique of the Power of Judgement', 2000, Ibid
[229] Kant 'Critique of the Power of Judgement', 2000, Ibid

the use of reason, then the purpose for which the human species is destined (i.e., the purpose of its existence), cannot be a natural end since practical reason just is the ability to set ends *for ourselves*. Thus the end for which the human species is destined cannot be found in nature. Since it must however have an end for which it *is* destined, this can only be an end which it sets for itself, independently of nature. Therefore we can say that nature has endowed us with the natural dispositions for the use of practical reason which are optimally suitable for the goal of setting for ourselves a purpose for our own existence, and 'setting for ourselves a purpose' just is the destiny of the human species. Therefore it is via natural teleology that we are able to begin to view human nature as being amenable to the realization of its own moral *freedom*.

However at this point it is enough to say that by an argument from elimination we arrive at culture as the only possible candidate for the ultimate end of nature since culture just is: "the formal, subjective condition, namely the aptitude for setting himself ends at all and (independent from nature in his determination of ends) using nature as a means appropriate to the maxims of his free ends in general, as that which nature can accomplish with a view to the final end that lies outside of it and which can therefore be regarded as its ultimate end."[230]

4.3 Two components of the Final End.

This next section will be split into two parts in order to concentrate on the two conceptions of *final* end of which Kant specifies in section 84 and tries to unify in sections 85-88. We begin by noting that in contrast to the ultimate end of nature, a final end is defined as something requiring no other end as the condition of its possibility, containing as it does, the necessary and sufficient conditions of all other ends. Therefore; the final end cannot be an end that

[230] Kant 'Critique of the Power of Judgement', 2000, p.299

nature would be sufficient to produce in accordance with its idea, because it is unconditioned. Without further ado, Kant writes, in the crucial passage from 84:

Now we have in the world only a single sort of beings whose causality is teleological, i.e., aimed at ends and yet at the same time so constituted that the law in accordance with which they have to determine ends is represented by themselves as unconditioned and independent of natural conditions but yet as necessary in itself. The being of this sort is the human being, though considered as noumenon: the only natural being in which we can nevertheless cognize, on the basis of its own constitution, a supersensible faculty (freedom) and even the law of the causality together with the object that it can set for itself as the highest end (the highest good in the world). [231]

From this passage we can see that the final end is again considered as something which can be attributed to only humankind. Accordingly, two interdependent specifications of the final end are given. The first type of final end we learn from the above passage is "the human being . . . considered as noumenon"[232], or, equivalently; "the human being (each rational being in the world) under moral laws."[233] The second type of final end is defined as the "object that [humankind] can *set for itself* as the highest end."[234] Or; the highest good.

Now, these two types of final end pertain two categories of an "end" in Kant's system; the final end of creation is an 'end-in-itself', whilst the highest good is an 'end to be promoted' in and through action. Kant is now required then to give us an argument for the unification of the two types of final end. Thomas Pogge[235] has suggested that the argument for the

[231] Kant 'Critique of the Power of Judgement', 2000, p.302
[232] Kant 'Critique of the Power of Judgement', 2000, p.302
[233] Kant 'Critique of the Power of Judgement', 2000, p.314.
[234] Kant 'Critique of the Power of Judgement', 2000, p.302
[235] Thomas Pogge, 'Kant on Ends and the Meaning of Life' in Andrews Reath, Barbara Herman, and Christine Korsgaard, eds. *Reclaiming the History of Ethics: Essays For John Rawls* Cambridge University Press, 1997, pp361-388. It is a point of contention in the commentary whether Kant gives two specifications for the final end which he must then unify or just one. For the reading's which ascribe a two-specification thesis see Allison

unification of the two types of final end can be understood in terms of the following: It is only through the highest good, as the end of our pure practical reason, that we are able to understand the purpose of our acting under the moral law, since the highest good just is the point of unification of all moral actions and goals. Through the highest good we are able to *give ourselves* a relation to a final purpose of our existence, from which we can infer the purpose of existence in general. Since, without a final purpose of *our* existence, the world itself would have no purpose, therefore the final end of our existence, our supreme goal, must itself be the purpose existence *in general.* Thus the purpose of all existence is one which we ascribe to it, by giving ourselves a purpose. However, Pogge's argument is premised on an alternative specification of the two-types of final end, which he takes as a 'final end of humankind' and a 'final end of creation.'[236]Thus he claims that Kant's argument for unification is one that concerns an inference from the final purpose of human existence; i.e., the highest good, to the final purpose of all creation. I agree with Pogge that Kant's argument does concern the extension of the highest good as the final end of human existence to encompass the purpose of creation as a whole, however I think that Pogge's argument does not offer a way of understanding Kants crucial argument regarding a transition from the ultimate end to the final end. Pogge's argument would be a perfectly good one if we take it as pertaining simply to the above stated possibility of the extension of the concept of the highest good to the purpose of existence as a whole. However, I suggest that what Pogge misses in his reading is that portion of Kant's argument which specifies the first type of final end as "the human being . . . under moral laws" [237]which I take to be the condition on which the second type of final end qua the highest good, is premised. Since the highest good, as the

2011, p.42-42, Pogge 1997. Within these readings it is also contentious as to what these specifications refer to. For the one specification reading see Wood 1999. This one specification reading will be critiqued in the next section since it involves taking the ultimate end to pertain at once to a descriptive thesis and to an evaluative thesis by which by way of the latter, it is ascribed an unconditional value as a final end.

[236] Pogge, 1997, p.372

[237] Kant 'Critique of the Power of Judgement', 2000, p.314.

total object of the moral law, is established only once we have acknowledge our standing under the moral law and what it requires of us. Once this has been established, then I claim that it is perfectly valid to read Kant's text as then moving on to argue for the inference from the highest good as the purpose of *our* existence to the purpose of existence as a whole, however, such a reading is only possible once we have given an adequate account of the unity between the "human being under moral laws" and the "a priori, a final end, to strive after".[238]We are only then entitled to apply Pogge's argument to account for the extension of the highest good to encompass the purpose of existence in general.

In order to see how this can be argued, I refer to Andrews Reath's[239] seminal paper on the highest good. Reath's paper is an important one because in it, he supplies us with an argument which will allow us to grasp the unification of our two-types of final end. On Reath's interpretation Kant is maintaining a certain relation between the good and human agency, insofar as the good is being defined as the possible object of a moral intention. Secondly, in defining an object of *practical* reason to be "an effect possible through freedom",[240] Kant is committed to the view that only states of affairs which could be the possible results of intentional human action can be included in what is morally good. Reath, takes these two claims together to offer the following argument; since one decides whether an object is morally good by asking if one could will an *action* directed towards it, and since it would be irrational to will an action directed towards bringing about some end or state of affairs *unless* that state of affairs could be conceived as being, at least, *potentially* achievable through human agency we should conclude that "the definition of the good indicates that it should apply to possible human ends"[241] which he then defines as being the ends that *could*

[238] Kant 'Critique of the Power of Judgement', 2000, p.315
[239] Andrews Reath, 'Two Conceptions of the Highest Good in Kant', *Journal of the History of Philosophy*, 26:4. 1988 p.593
[240] Kant 'Critique of Practical Reason', 1996, p186.
[241] Reath, 1988 p.597

be the result of human reason under ideal conditions. The key moment in Reath's paper is his claim that it follows from the above argument that the *Highest* Good should be understood as an extension of this same principle. Looking to the passage in the *Dialectic* of the Critique of Practical Reason, where Kant refers to the Highest Good as "the unconditioned object of pure practical reason"[242] or as Reath glosses it "the unconditioned object of the moral law"[243], he suggests that we should take this to supply the connection between the moral law and the highest good. In order to understand this a little better, Reath argues that if the good per se, can be taken simply as an object of pure practical reason, referring to an end that is the result of the use of moral freedom, then we should view the highest good simply to be the *highest good* that results from our use of moral freedom. We should then be able to show that Kant's reference to the "unconditioned object of pure practical reason" pertains to the totality or complete set of ends that is the result of the use of our moral freedom. The concept of the Highest Good is derived from the further use of reason "in its characteristic activity of introducing systematic unity into a body of a given material"[21] i.e., into the ends that are contained in collective moral conduct, but crucially; only once the moral law has been shown to be established and only once we know which ends it dictates. From this Reath concludes that the Highest Good ought to be considered as implicit in the moral law from the beginning. "That some notion of the highest good *follows simply* from the fact that moral conduct is directed at ends. If the good refers to possible human ends, the same condition should apply to the Highest Good as well. . . .it simply follows from the fact that moral conduct [under the moral law] is directed at ends."[244] Reath locates textual evidence for his claim in Kant's remark in Critique of Practical Reason where Kant states that;

[242] Kant 'Critique of Practical Reason',1996, p.227
[243] Reath, 1988,Ibid
[244] Reath, 1988, pp.597-598

For, in fact the moral law ideally transfers us into a nature in which reason would bring forth the highest good were it accompanied by sufficient capacities; and it determines our will to impart *to* the sensuous world the form of a system of rational beings. [245]

We can read this in conjunction with the claim in the Critique of the Power of Judgment that:

the final end of creation is that constitution of the world which corresponds only to that which we can give as determined in accordance with laws, namely the final end of our pure practical reason, insofar as it is to be practical. – Now in virtue of the moral law, which imposes this final end upon us, we have a basis for assuming, from a practical point of view, that is, in order to apply our powers to realize it, its possibility, its realizability, hence also a nature of things corresponding to that end (since without the accession of nature to a condition that does not stand within our own power its realization would be impossible). Thus we have a moral ground for also conceiving of a final end of creation for a world. [246]

Therefore, in the conclusion of this section, I argue contra Pogge, that it is only once we have established the "system of rational beings under the moral law"; as the first type of final end, that we know what the moral law is, and moreover which ends it contains. Only then are we are able to construct from the acknowledgement of the moral law the concept of the second type of final end, as the highest good. And only then are we able to extend the concept of the highest good to draw the inference to the final purpose of existence in general. And I suggest that the final end as the highest good should then be considered to serve as a point of orientation and coordination[247] of all our conduct on permissible and obligatory maxims. And thus the end to which all our moral action is ultimately directed. One should then be able to

[245] Kant 'Critique of Practical Reason', 2000, p.175
[246] Kant 'Critique of the Power of Judgement', 2000, p.320
[247] On the point regarding 'orientation' see for example Pablo Muchnik "[the highest good] serves as an a priori orientation-device to correct the empirical manifestations of the antagonism connected with our unsocial sociability" in his *Kant's Theory of Evil: An Essay on the Dangers of Self-love and the Aprioricity of History* Lexington Books,2009, p.xxi.

think of the final end as the end of the moral conduct of every rational being. This is important, since, as Pogge points out, if the highest good were specified in agent-relative terms then this could indeed function merely to render all of our ends mutually *coherent*, however it is only by specifying the highest good in terms of an agent-*neutral* universality that we can fully unite all of our moral endeavours by directing them towards the same state of affairs as a common, trans-individual goal; therefore the highest good is not simply a consistent point of orientation but a point of coordination.[248]

4 .4 On the relation between the ultimate end of nature and final end of creation.

In order to consider the complex arguments which we encountered in the above, my next section will assess some of the literature on the ultimate end/final end distinction and their ensuing relation. I shall suggest that the prominent arguments which seek to use the teleology in order to establish that human beings possess an absolute value prior to morality do not succeed. As we have mentioned, when Kant talks about a "final end" we can take him to be referring, in one instance to an "end-in-itself" and when he talks about an "ultimate end" we can take this to be referring to a non-normative or descriptive thesis regarding a capacity; namely the rational capacity to set and pursue ends and to systematize them. But how then should we understand the relation between the ultimate and final end? I will suggest in this section that we may begin looking at this problem by referring to the 'Formula of Humanity' from the *Groundwork for the Metaphysics of Morals.* Although I shall argue that the two arguments work in different registers and lead to two totally different conclusions,[249] I intend to show that the concept of an ultimate end is as purely descriptive one regarding the capacities or predispositions which marks human beings out in a system of nature. It is not, or not in in the *Critique of the Power of Judgment,* used to ground a categorical imperative. The

[248] Pogge 1998, p.373

[249] I am indebted to Allison 2011, p.38 for this point and my reading of the 'Formula of Humanity' draws on his account in his 2011.

question I shall ask in this section is whether it is correct to attribute to Kant the view that he simply uses the thesis regarding the ultimate end, which is first and foremost a descriptive, theoretical concept, in order infer an absolute value which we assign to this same capacity in an *evaluative* thesis. I argue that, both arguments in the *Groundwork* and in the *Critique of the Power of Judgment* share common premises regarding the capacity for setting ends and an unconditional value assigned to this same human capacity, and the reading of the two texts together will actually help in clarifying our question, namely, which feature the possession of which something is a final end, or, end-in-itself. Kant's references, to the rational, non-moral capacity to set ends, "any ends in general" as what distinguishes human beings from *mere* natural ends, advocates a reading in conjunction with the argument in *The Metaphysics of Morals* which states that "the capacity to set oneself an end—any end whatsoever—is what characterizes humanity (as distinguished from animality)"[250] This is broadly the approach taken by Paul Guyer[251] Allen Wood[252] and Christine Korsgaard[253] who have each taken the argument in §82-83, regarding the relation between ultimate end and final end to refer firstly to the description of a rational capacity and the attribution of an absolute or unconditional value to that capacity. That is, the capacity to set ends is what defines Kant's concept of humanity as an end in itself, when it is valued as such. Guyer, in his reading of 82-83 arrives at this suggestion in his claim that the argument Kant must have had in mind is the following:

In order even to begin to think about an end for nature, we have to think of mankind as its end because . . . [a]s the only sort of being that can form a conception of ends . . . mankind

[250] Kant 'The Metaphysics of Morals' 2000, p.522
[251] Paul Guyer *Kant's System of Nature and Freedom: Selected Essays* Oxford Clarendon Press, 2005,
[252] Wood 1999
[253] Christine Korsgaard *Creating the Kingdom of Ends*, Cambridge University Press, 1996

must be the origin of all ends, and therefore the only candidate for the ultimate end in any explanatory account of nature. [254]

But how does Guyer conceive of the relation between the ultimate and final end? I suggest that he does so as follows:

Kant can be given credit for clearly recognizing that establishing that mankind is suitable for the role of an ultimate end in virtue of his capacity to set ends does not suffice to establish that mankind is the final end of nature, and then explicitly maintaining that this second claim can be sustained only by introducing the premise that mankind's capacity to set ends *freely* is itself of unconditional value.[255]

However, although Guyer is claiming that it is the capacity for free choice which ought to be of unconditional value, rather than the capacity to set ends *per se*, he seemingly concurs with Christine Korsgaard's reading of these passages where she states:

It is our capacity to set ends - to freely choose what shall be an end by means of reason, that not only makes us ends in ourselves, but which forms the final purpose of nature teleologically conceived. It is only this capacity that has its value completely in itself; so that this not only forms the basis of a possible categorical imperative, but also the only possible basis for a complete teleological view of creation. . . It is we, with our power of valuing things that bring to the world such value as it has - and even the redemption of nature is up to us. [256]

On the other hand, Allen Wood provides a reading with an emphasis on the capacity of humanity as the capacity to set ends, which he believes to be "itself the source of the fact of

[254] Guyer 2005, p.322
[255] Guyer 2005, Ibid, emphasis mine
[256] Korsgaard,1996, 130

[other things'] goodness—indeed of the fact that anything at all is objectively good."[257] Wood vehemently disagrees with Korsgaard's "value-conference" thesis. Indeed as he writes:

The idea that any objective value could be simply conferred by human choice is nonsense – it contradicts the very concept of objective value"[258] And "Still less should we say, as Korsgaard also has, that rational beings confer on themselves the value of being ends in themselves . . . Rather, the argument is that it is our basic act as rational beings, the act of setting ends and regarding them as good, that necessitates our representing ourselves as already ends in themselves.[259] [260]

Wood's conception of humanity is more expansive than that of either Korsgaard's or Guyer's insofar as he claims, with reference to Kant *Anthropology,* that humanity should be understood to encompass the "technical predisposition" and the "pragmatic predisposition"[261]where the former pertains to our ability to manipulate things as means to arbitrary ends and includes all the skills, arts and the deliberative abilities, while he suggests that the "pragmatic predisposition" is a higher-order aspect of 'humanity' enabling us to not only set ends but to compare the ends we set and organize them into a system.[262] Insofar as we have noted, in some agreement with Wood, Kant specifies 'humankind' as comprising these two predispositions both in the ability to set ends and in the ability to systematize ends taking both of these together we therefore get the total set of capacities associated with

[257] Wood,1999, 130; see also pp. 157-8
[258] Allen Wood Kantian Ethics Cambridge University Press, 2008, p.95
[259] Wood, 2008, p.92

[260] Wood 1999, p111-182, see also his arguments regarding the final end as pertaining sole to the highest good; in the absence of the moral subject see 1999 311-317. In Wood's reading he does not advocate a two-specification reading of the final end and thus he associates the final end solely with an 'end to be effected', that is the highest good, so we must be careful in attributing a view here that is not strictly his. Thus we stick with his reading of the formula of humanity
[261] Kant *Anthropology from a Pragmatic Point* of View Robert B. Louden (ed) Cambridge University Press, p226
[262] Wood 1999. 119

culture as the ultimate end of nature.[263] Despite their disagreements as to just which among the capacities associated with the predisposition to humanity might be considered to be the source of unconditional value; that is, whether it is the capacities involved in the setting of ends (Wood and Korsgaard) or, the capacity for freedom of choice (Guyer), all three of the above authors ascribe to the thesis which assigns unconditional value to the predisposition to humanity itself, in distinction from moral personality. The problem which emerges from these readings is that they collapse the distinction between ultimate end and final end, since for the above writers, what are for Kant two distinct ends, are essentially the same thing, seen from different perspectives. I claim that they are entitled to this reading if they can show that humanity and personality are the same thing,[35] where personality simply is the result of a higher-order 'reflective endorsement' of humanity. For instance, as Guyer writes: "the only thing that is a viable candidate for being the ultimate end of nature because it explains the setting of ends—namely human freedom—is also the only thing that is a candidate for being the final end of nature because it is of unconditional value" [264]

But the question which then arises is whether the mere capacity to set ends, or the freedom to choose and end, that is, *mere* practical freedom, which defines the capacities associated with the ultimate end of nature, is a sufficient to ground an unconditional value or *final* end? I claim it is not and that the two concepts are distinct. Referring back now to 87 from the *Critique of the Power of Judgement* Kant asks us to imagine the existence of the world in which only certain types of beings exist. Beginning with nonrational beings he writes: "if the world consisted entirely of lifeless beings or even in part of living but nonrational beings, then the existence of such a world would have no value at all, because there would exist in it

[263] Kant 'Critique of the Power of Judgement', 2000,p.295

[264] Paul Guyer 'Kant's New Argument in the Critique of Teleological Judgment' in Hans F Fulda and ürgen Stolzenberg.(eds) *Architektonik und System in der Philosophie Kants* Felix Meiner Verlag, 2001 p395

no being that has the slightest concept of a value."[265]He then asks us to imagine a world populated by rational beings, end-setters, distinct from and in addition to these nonrational beings:

If, by contrast, there were also rational beings, but ones whose reason was able to place the value of the existence of things only in the relation of nature to themselves (to their well-being), and were not able themselves to create such an original value (in freedom), then there would certainly be (relative) ends in the world, but no (absolute) final end, since the existence of such rational beings would still always be without an end [266]

In light of the above; I claim that if humanity is indeed just the capacity possessed by merely rational beings 'to value the existence of things only in relation to themselves and their own well-being', then we can say that the capacity to set ends, in the *absence* of morality, while itself necessary *for* morality, is not itself sufficient to confer any special status or unconditional value on humankind in the absence of morality.[37] in the *Critique of Practical Reason* Kant states in no uncertain terms:

In the system of nature man (homo phaenomenon, animal rationale) is a being of slight importance and shares with the rest of the animals, as offspring of the earth, an ordinary value (pretium vulgare). Although a human being has, in his understanding, something more than they and can set himself ends, even this gives him only an extrinsic value for his usefulness (pretium usus); that is to say, it gives one man a higher value than another, that is, a price as of a commodity in exchange with these animals as things, though he still has a lower value than the universal medium of exchange, money, the value of which can therefore be called preeminent (pretium eminens). [267]

[265] Kant 'Critique of the Power of Judgment', 2000, 315
[266] Kant 'Critique of the Power of Judgment', 2000, Ibid
[267] Kant 'Critique of Practical Reason' 1996, p.186

In fact the above passages taken together seem to support a reading which suggests that the capacity to set ends is of value only as a means. Finally, Kant's hypothetical discussion seems to offer a direct comparison to the predisposition to humanity as distinct from both (nonrational) animality and the predisposition to (moral) personality in *Religion within the Limits of Reason Alone* and which has a specific reference to the concept of culture. There Kant writes:

The predispositions to humanity can be brought under the general title of a self-love which is physical and yet *involves comparison* (for which reason is required); that is, only in comparison with others does one judge oneself happy or unhappy. Out of this self-love originates the inclination *to gain worth in the opinion of others* . . . from this arises gradually an unjust desire to acquire superiority for oneself over others. Upon this, namely, upon *jealousy* and *rivalry,* can be grafted the greatest vices of secret or open hostility to all whom we consider alien to us. These vices, however, do not really issue from nature as their root but are rather inclinations, in the face of the anxious endeavor of others to attain a hateful superiority over us, to procure it for ourselves over them for the sake of security, as preventive measure; for nature itself wanted to use the idea of such a competitiveness (which in itself does not exclude reciprocal love) as only an incentive to culture. Hence the vices that are grafted upon this inclination can also be named vices of *culture,* and in their extreme degree of malignancy (where they are simply the idea of a maximum of evil that surpasses humanity) e.g. in *envy, ingratitude, joy in other' misfortunes*, etc., they are called *diabolical vices.*[268]

As we shall see, humanity, that is, the set of rational capacities identified with culture, is identified to be, in agreement with Rousseau, the origin of vice in the species, but also, and as

[268] Kant *Religion Within the Boundaries of Mere Reason: And Other Writings* Allen Wood and George Di Giovanni (Trans and Ed) Cambridge University Press,1998, p.51 emphasis in theoriginal.

we shall also see Kant paradoxically, conceives of culture as the source of moral and rational development: "Only after culture was been perfected (only God knows when this would be) would a lasting peace salutary for us, and only through such culture would it become possible".[269] However the question here will be whether it is the case, noting the '*diabolical vices'* associated with it, that Kant attributes absolute value to the predisposition to humanity over that of morality? Wood's argument is that he must, since an end in itself must be ascribed to humanity rather than *personality*, (that is, rational beings in possession of the *capacity* for morality), because the status of an end in itself cannot be attributed solely to virtuous agents.

I now refer to Henry Allison who, in response to Woods argument, has suggested that Wood conflates possession of the *capacity* for morality with actually being moral. In support of Allison's claim; we will see, in referring back to the *Critique of the Power of Judgement*, that Kant is careful *not* to make this conflation. Thus in picking up once more the thread of his possible worlds scenario he writes

The moral laws, however, have the unique property that they prescribe something to reason as an end without a condition, thus do exactly what the concept of a final end requires; and the existence of such a reason, which in the relation to ends can be the supreme law for itself, in other words, the existence of rational beings under moral laws, can alone be conceived of as the final end of the existence of a world. If, on the contrary, this is not the case, then there is either no end at all for the existence of a world in its cause, or it is grounded in an end without a final end.[270]

[269] Kant 'Conjectural Beginning to Human History' in *Toward Perpetual Peace and Other Writings on Politics, Peace, and History,* Pauline Kleingeld (ed) and David Colclasure (Trans), Yale University Press, 2006, p.35
[270] Kant 'Critique of the Power of Judgement', 1996, p315

Kant qualifies the above claim by stating that he is deliberately using the phrase "under moral laws", and not "in accordance with moral laws" since the latter would presume knowledge of a being that "always behaves in accordance with moral laws" knowledge which we cannot presume to be able to possess. Therefore, the phrase "rational beings under moral laws" pertains only to a consciousness of standing under moral laws, not necessarily of obeying them. I believe correctly Oliver Sensen is correct when he writes; "to be under the moral law does not mean that one follows the moral law or actually is morally good. It merely means that one is addressed by the law and accordingly *could* follow it."[271]

My final suggestion at this point will be that insofar as Kant argues that this final end *qua* 'rational beings under moral laws' must also mean the "human being . . . considered as noumenon" I claim, need not be taken as introducing a thesis about some other-worldly nature of human beings but rather it can be taken simply as: "an indication that autonomy and imputability are not empirical properties or capacities of rational agents, but qualities that we assign to them insofar as we conceive of them as persons or, equivalently as subjects or addressees of morally practical reason." [272] In concluding this section, I suggest that the *Critique of the Power of Judgement* offers strong evidence for the argument that, whilst human beings are the only species which can grasp the concept of a purpose in setting ends for themselves, and thus are the only species able to confer value on things through their capacity of valuing of them and that they must therefore, value this source of value in themselves on the basis that this is what distinguishes them from mere natural ends and is a necessary condition for morality, it does not follow that any of this is *sufficient* for attributing to human beings the status of an unconditioned value, as a final end. Indeed it seems to be Kant's view that, conversely, this rational capacity can only be a relative value. I suggest then in *Critique of the Power of Judgement* that, at least that the first specification of the final end

[271] Oliver Sensen *Kant on Human Dignity*, De Gruyter 2011, p.104 emphasis mine.
[272] Allison 2011, p.217

is to be identified with what Allison and Sensen have called *the capacity for morality*.[273] And my final piece of textual support for this reading will be the passage where Kant writes:

Now if things in the world, as dependent beings as far as their existence is concerned, need a supreme cause acting in accordance with ends, then the human being is the final end of creation; for without him the chain of ends subordinated to one another would not be completely grounded; and only in the human being, although in him only as a *subject of morality*, is unconditional legislation with regard to ends to be found, which therefore makes him alone capable of being a final end, to which the whole of nature is teleologically subordinated. [274]

4.5 The Analysis of Culture and Moral progress.

Having completed an analysis of the two key teleological concepts we have now seen that Kant establishes culture as the sole candidate for an ultimate end of nature and that this status is made conditional on a further, final end of morality. To recap, culture has been specified as both the result of our use of practical reason which distinguishes us from mere natural organisms, *and* the vehicle through which we *further* develop the aptitude for practical reason in general. We have also been able to say that Kant defines culture as assisting us, in some yet to be specified way, in the realization of the final end of creation which we also now know pertains both to the moral subject *and* the highest good. And we have seen that it is only in recognizing ourselves as standing under the moral law that we can know what the content of the moral law is, i.e., which ends it contains, and through reason in its systematizing function we become aware of the concept of the highest good as the total object of the moral law and of our duty to strive towards its realization in the sensible world.

[273] Allison 2011, p.213-219, Sensen 2011,p. 70
[274] Kant 'Critique of the Power of Judgement', 1996, p311

In the following section I will provide an answer to the question of how culture and the arts function so as to effect a transition between the ultimate end of nature and the final end of creation, and to say what such a transition should consist in. This section will consist of a reading of perhaps the most significance sentence of section §83, of which has caused the most consternation on the current literature on the teleological analysis of culture. This is Kant's claim regarding culture, as: "that which nature is capable of doing in order to prepare [humankind] for what he must himself do in order to be a final end."[275] How to explain what Kant means by *preparation* and in light of a *transition* from nature to freedom? The question which immediately presents itself is whether Kant advocates a gradual transition from the capacities associated with culture to those associated with morality and whether this in turn requires an empirical, historical dimension. Or, on the other hand, assuming that moral and ethical deliberation is fundamentally an individual matter, is this transition to be considered as an atemporal 'noumenal' process taking place within individuals, and, as such, standing outside history as well as nature?

If we subscribe to the formalist view then, it is not at all obvious how culture, or indeed any empirical aid, process, or institution, could possibly be relevant to the question of morality. Whilst if we assent to the historical-anthropological view we risk making freedom and the moral law dependent on contingent, anthropological features of human nature and society, thus requiring us to make significant revisions to the key aspects of both the *Groundwork* and the *Critique of Practical Reason* regarding the categorical imperative, the duty motive and the doctrine of universal moral equality. Therefore, it will be important to try to give the correct relation between a priori and empirical standpoints in Kant's appeal to culture in human moral development, and this will amount to specifying what the transition from

[275] Kant 'Critique of the Power of Judgement', 1996, p298

culture to morality is to consist in. Robert Louden,[276]one of the key commenters on this issue has advanced a thesis regarding culture as a 'propaedeutic' to morality. He argues that the transition from culture to morality, requires; "some sort of qualitative leap into the realm of freedom, one that nevertheless *necessarily* presupposes the preparatory steps of culture and civilization."[277] However in a further passage he alters the strength of this claim, adding that; "Culture and education are along with law, politics and religion, [are] all necessary but not *sufficient* conditions for human moralization. There is no guarantee that people who have been exposed to these preparatory steps will be morally good, but human beings who lack all contact with then cannot possibly be morally good."[278]

In light of the above, as has been pointed out by Patrick Frierson,[279]Louden conflates references to such empirical aids as necessary for '*morality'* and as necessary for '*moralization'* where he should distinguish between the two. In order to make this clearer; I shall suggest that the thesis regarding 'propaedeutics' could come in either strong or weak flavours, each pertaining to a reading of the transition from nature to freedom. In the strong thesis, the *Ubergang* or 'transition', might be taken to pertain to a transition from humanity (and thus culture) to morality *as such*. Whilst in the weaker thesis, it could pertain merely to a transition from civilization to *moralization*. Therefore, we might suggest that the strong thesis would involve the claim that exposure to such preparatory steps is necessary in order for an individual be able to make moral choices at all. Unless we are exposed to such aids we will be unable to formulate moral maxims. Therefore, such propaedeutics must be established prior to morality as its necessary condition. This cannot be right. In reference to the first of

[276] Robert Louden *Kant's Impure Ethics: From Rational Beings to Human Beings* Oxford University Press, 2002 pp42-59
[277] Louden 2002, p41, emphasis mine.
[278] Louden, 2002, p.53
[279] Patrick Frieirson *Freedom and Anthropology in Kant's Moral Philosophy* Cambridge University Press, 2003 pp81-82

Louden's claims, the 'qualitative leap' he refers to must mean the 'revolution in *Gesinnung'* or character, and since he affirms culture as a necessary empirical precondition for this fundamental choice of moral disposition, his argument would at best, involve a contradiction between culture and transcendental freedom, and at worst, simply rule out the doctrine of transcendental freedom as motivational independence from the empirical. As Frierson argues;

Kant cannot ascribe moral responsibility to any agent that lacks what is necessary to act in accord with the moral law. As a result, if Louden is correct that empirical aids . . . are *necessary* for one to be virtuous, then unless these aids are present, one is not morally responsible. Freedom means – if it means anything for Kant –that one can choose to obey the moral law regardless of empirical conditions. There are no excuses. So empirical influences cannot be *necessary* preparations for morality unless they are necessary for moral responsibility itself, and neither Kant nor Louden claims that all empirical aids are necessary in *that* sense. There is a straightforward contradiction between the claim that an agent is morally responsible and thus transcendentally free and the claim that certain empirical aids are in addition necessary for that agent to be morally good. [280]

The weaker thesis, which I attribute to the second of Louden's arguments however, still requires exposure to such preparatory steps as necessary for moral choice, but that such steps are not *sufficient* in order for an individual to actually be morally good. Thus in this thesis he blocks an inference from the necessity of preparatory steps to the actual moral goodness of individuals, since it must be possible for us to choose to be good, without the assistance of such empirical factors. Louden's weaker thesis, in removing the *sufficiency* claim does not therefore strictly preclude the capacity for the freedom to choose good or evil.

[280] Frierson 2003. p81

However, it will be important to note that in both weak and strong version of the argument, the various empirical influences such as a just legal system, the development of political institutions, artistic progress etc., all of which are connected in some way with culture, are taken to be *necessary* for inner, moral conversion.[281] And following this, as I shall show, there will be a further distinction to be drawn regarding this thesis. This pertains to the distinction between the empirical as *manifestations* or expressions of inner moral character and such empirical factors as necessary *preparations for* the development of moral character. This is important since, as we have seen, Kant consistently refers to a moral action in terms of an effect possible through freedom, by which he means that the goodness of a moral maxim can only be assessed insofar as it is expressed in our action. However, conceiving of politics, law and culture in terms of a *preparation* for morality means such empirical arrangements cannot be at the same time an *expression* of morality, since they are by definition not the product of a moral action.[282]

I now turn to Alix Cohen[283] who has presented a useful argument in which she suggests that, in order to overcome the confusion between the empirical and intelligible, we should distinguish between culture as pertaining to the necessary and sufficient conditions for moral *agency,* and the necessary and sufficient conditions for moral *improvement* or progress, rather than to any kind of preparatory aid at all. And she claims, that this will allow us to obtain the correct relation between culture and freedom. I think she is correct in her claim that the significance of culture pertains strictly to *practical* freedom and not *moral* freedom.

[281] Frierson 2003, p.80
[282] this point is indebted to Frierson 2003p.81
[283] Alix Cohen, 'Kant's Concept of Freedom and the Human Sciences' *Canadian Journal of Philosophy* 39 (1) 2009,pp. 113-136.

In her paper, Cohen refers to Emile Fackenheim[284] and Mary Gregor's[285] respective conceptions of 'cultural freedom' and 'relative freedom'. Gregor's conception of 'relative freedom' comprises of two aspects taken from *The Metaphysics of Morals.* The first stresses:

man's ability to rise above the level of instinct and act in pursuit of ends. […] By it man is free not only to pervert his instincts that lead to his self-preservation and the preservation of the species, but to expand his desires *ad infinitum*. […] The *Anthropology*, accordingly, stresses the other aspect of freedom involved in civil society, the development of man's tendency to become a well-bred member of society who can live peacefully with his fellow men.[286]

For Fackenheim, 'cultural freedom' is specified as being

only partly, but by no means wholly independent of natural desires. It may enlarge, transform or even pervert them; but it does not emancipate itself from them. Freedom, in this sense, we shall term cultural freedom. For it is essentially social in significance. […] Cultural freedom produces institutions and forms of government, and it is the source of tradition. Its expressions are the substance of history. [287]

In light of the above, Cohen claims that while neither Gregor nor Fackenheim relate their respective conceptions of 'relative' and 'cultural' freedom to practical freedom, both are in fact referring to one and the same power; conceived from a *cultural* perspective by Fackenheim, and a *psychological* perspective by Gregor. Cohen then claims that it is this thesis regarding practical freedom that concerns Kant's account of culture in the Critique of the Power of Judgment. Therefore, in weakening the argument for the relation of culture to

[284] Emile Fackenheim 'Kant's Concept of History,' *Kant-Studien* 58, no. 3,1956-1957,pp. 381-98 1956, pp.388-9
[285] Mary Gregor 'Introduction' in *Anthropology from a Pragmatic Point of View* Martinus Nijhoff,1974, pp.ix-xxv.
[286] Gregor quoted in Cohen 2009 p 114
[287] Fackenheim 1956, 388-9

morality, so as to include only a relation to practical freedom, Cohen is able therefore to separate her discussion, from those such as Louden who seek a strong relation to morality. Therefore for her, culture is only efficacious on worldly practical agency, and therefore it has no impact whatsoever on our capacity for full-blown transcendental freedom. Cohen is thus able to preserve Kant's insight in which he claims that the empirical cannot determine the intelligible.

Cohen relates the source of the apparent confusion in the commentary regarding the moral significance of culture, to Kant's own specifications in *Critique of the Power of Judgment* in which, as we have pointed out, he claims that culture encompasses both the conditions of moral agency and the conditions of moral progress. This results in a thesis of which is highly suggestive of the notion that empirical factors can have an impact on the human being's moral status by generating some form of moral progress.[288] However this cannot be Kant's considered view.[289] Again in his introduction to that same work, we find there that "freedom and moral agency are restricted to the domain of the intelligible, [thus] they cannot be influenced by anything empirical."[290] Cohen argues contra Louden that, whilst Kant does run them together in §83, 'in principle', the conditions of moral agency and those of moral progress or improvement should not be conflated. As we have seen, in order to for Louden's thesis regarding 'necessary preparatory steps' to go through, he is required to revise or renounce Kant's arguments for the distinction between empirical and intelligible, and insodoing to show how culture is able to have a direct influence on moral choice. This, however, clearly involves a thesis which, by Kant's own lights, is metaphysically invalid.

[288] Cohen 2009, p.121 argues the point similarly.
[289] After all Kant writes that "the sensible cannot determine the supersensible in the subject". See also 'Groundwork for the Metaphysics of Morals', 1996, p.65 where he argues that mixing any empirical observations of human nature with morality: "adding anything empirical to [the supreme practical principles] one subtracts just that much from their genuine influence and from the unlimited worth of action"
[290] Cohen 2009, p.122

What do we make of Cohen's second claim that the thesis advanced by Louden "[uses] the two concepts interchangeably, [and] in fact misrepresents Kant's argument on both counts. Furthermore, his notion of 'propaedeutic' or 'preparatory steps' to morality is in fact detrimental to our understanding of the issues at stake."[291] Cohen's argument comes down to the following; that we should view culture as providing us with certain, minimal *pre*-conditions of moral agency, of which she argues, can be thought of as pertaining to "a certain form of freedom, a minimal level of rationality and the consciousness of the moral law." Similarly to our arguments above regarding the distinction between humanity and animality, I claim that on this understanding we can describe such conditions as minimal precisely in the sense that they pertain *only* to the distinction between being moral and being amoral. Cohen then claims that whilst the above can be taken as the necessary and sufficient conditions for us to be moral in a broad sense, on the basis that one cannot possibly be morally good without these conditions, they are neither necessary nor sufficient for moral *progress*. She argues that a conception of moral progress or improvement would thus "involve something extra: they help to be moral in the narrow sense of the word namely, to be morally autonomous insofar as one acts from duty."[292] However it does not follow, given the establishment of such conditions for minimal moral *agency* that one will necessarily act morally. Since this must be an act of free will on the part of the agent. In conclusion then, the conditions *of* moral improvement are neither necessary nor sufficient *for* (actual) moral improvement; since, it must be possible for one to be morally good without any such empirical aids. Therefore, they are merely helpful. [293]

However, due to Cohen's useful paper, it still remains to be seen how empirical factors such as culture can assist us in our moral vocation if they are to have no direct impact on our moral

[291] Cohen, 2009, p125
[292] Cohen 2009, Ibid, parenthesis dropped
[293] Cohen 2009, pp127-128

character. And it is to this question I shall try to provide an answer to in the following section. I will suggest that the solution to the above might be as follows, since culture is associated with the predisposition to humanity, and with a teleological thesis, traced back to the *Groundwork* which concerns the internal necessity of the development of practical reason; what Kant refers to as, "those predispositions whose goal is the use of his reason" and what he terms in the *Teleology* the "aptitude for setting ends in general", which amounts to the same thing, and towards its true vocation which is just *moral* reason, and therefore to the pursuit of the highest good (which is what Kant means by reason developing itself '*completely'*). Therefore I claim that culture involves, firstly the phenomenal exercise of our capacity for practical freedom. Secondly through this exercise of practical freedom itself we *further* develop our reason, up to and including the conditions for moral *agency*. Indeed, Kant is clear in his claim that "reason itself does not operate instinctively, but rather needs attempts, practice and instruction in order gradually to progress from one stage of insight to another." [294] Secondly, from the position of the *observer*; in being able to conceive of this development as being *possible*, through conceiving our culture as progressing, this thought provides us with a strengthening of our duty to our moral *improvement*. However in taking Cohen's thesis into account I argue that, *actual* moral improvement whilst requiring the above pre-conditions for its phenomenal exercise must be something which is decided upon independently of anything empirical.

However, we will now be required to confront the question; if culture is indeed conceived as the vehicle through which we develop the conditions for moral agency and therefore that the predisposition to humanity as an original predisposition towards the good, then why is it at the same time a major source of moral *failure*?

[294] Kant 'Idea for a Universal History with a Cosmopolitan Aim' in *Anthropology, History, and Education*, Günter Zöller and Robert Louden (eds.), Cambridge University Press, 2008, Cambridge University Press, 2008 p109

4.6 Culture and progress: Reason and Skill -Vice and Inequality.

I now assess the arts and culture as a vehicle for the developmental process towards the highest good. The purpose of this section will be to ask; if it is our destiny to develop completely the predispositions for the use of reason by way of culture and therefore to be led towards the realization of our final end, why does culture engender such "diabolical vices", of which are counter-purposive to moral progress?

The goal will be to give a full explication of Kant's teleological analysis of culture, and to further specify the link between a priori and anthropological components with regards the question of a transition from culture to morality.

In this effort, I will be indebted to Pablo Muchnik's[295] work on the transcendental basis of Kant's theory of human nature and history. Muchnik shows how we can understand the social dynamic, which we observe in culture, as concerning "the phenomenal expression of [the a priori thesis of] radical evil"[296] of which to simplify almost entirely, is a fundamental propensity on the part of human beings to subordinate *maxims* of duty to self-love. Kant sees this propensity as pertaining to and being expressed phenomenally in culture, and thus culture is itself conceived as both the origin of and solution to the vices of self-interest, social rivalry and competitiveness which are themselves counter-purposive to moral progress.

Here, I place Kant's thesis of cultural development, and the necessity of its reform, in relation to Rousseau's moral and political critique of the arts.[297] Kant's debt to Rousseau has been widely acknowledged in recent years,[298] particularly with regards to former's reworking of the concept of *amore propre* in relation to the 'predisposition to humanity', whilst I draw on

[295] Muchnik 2009
[296] Muchnik 2009, p.153
[297] Rousseau , 1997
[298] Wood,1999, Richard L. Velkley *Being After Rousseau: Philosophy and Culture in Question* University of Chicago Press, 2002, Frederick Neuhouser *Rousseau's Theodicy of Self-Love: Evil, Rationality, and the Drive for Recognition*, Oxford University Press, 2008

some of this recent work, my main focus will be specifically directed to a consideration of the differences which emerge in Kant and Rousseau's respective approaches to a consideration of the solution to the vices of culture in relation to human progress. In acknowledging the problem which he inherits from Rousseau, Kant writes:

In his writing on the influence of the sciences and on the inequality of human beings, [Rousseau] shows quite correctly the unavoidable conflict of culture with the nature of the human species as a physical species in which each individual was entirely to reach his vocation; but in his *Emile*, his *Social Contract* and other writings, he seeks again to solve the harder problem of how culture must proceed in order properly to develop the predispositions of humanity as a moral species to their vocation, so that the latter no longer conflict with humanity as a natural species. From this conflict . . . arise all true ills that oppress human life, and all vices that dishonor it, nevertheless, the incitements to the latter, which one blames for them, are in themselves good and purposive as natural predispositions, but these predispositions, since they were aimed at the merely natural condition, suffer injury from progressing culture and injure culture in turn, until perfect art again becomes nature, which the ultimate goal of the moral vocation of the species. [299]

In light of the above, it is to the question of Kant's answer to the crucial question of *"how culture must proceed in order properly to develop the predispositions of humanity as a moral species to their vocation*" which I turn in this section. Let me firstly consider the arguments for culture as pertaining both to the *result* of the collective use of the set of rational capacities associated with 'the predisposition to humanity" which distinguishes us from mere natural organisms (animality), and also as the vehicle through which nature *further* develops in the species "the aptitude for the promotion of ends in general" which may be seen as a corollary of what Kant terms in *Idea for a Universal History* as "the *complete* development of the

[299] Kant, 'Conjectural Beginning of Human History', 2008, p.169

predispositions for the use of reason." And it is this which I will argue Kant provides us with the *thought* of the possibility of rational improvement or *progress*. However, we then must address how the development of the skills and capacities for reason, left as they are, "suffer injury from progressing culture and injure culture in turn"[300] leading to "diabolical vices". Since such vices are counter-purposive to the teleological thesis regarding our moral progress, I suggest that Kant then needs to show, even in this situation, that nature compels us to the good, in constraining the self-interest which emerges in cultural development. Turning now to Rousseau's argument for the reform of culture and the arts, I suggest that not only does he conceive of the arts and sciences as failing to promote political and moral progress, but moreover that the widespread esteem for the arts in society is counter-purposive to virtue and is therefore a chief cause of moral and political *failure*.[301] To understand this thesis I argue we need to understand what Rousseau means by 'esteem' and how this is related to his conception of 'inflamed' *amore propre* and this therefore will answer why Rousseau conceives of the arts, *as they are,* to be counter-purposive to the development of a just society. As I read it, the *First Discourse on The Arts and Sciences* concerns Rousseau's argument that, engaging in any cultural goal, whether scientific, literary, or artistic represents a choice, "in effect a moral choice being made by people about how they would do well to comport themselves and use their life's time."[302] Rousseau wants to inquirie into the values which motivate the individual's making of such a choice, and which might explain why it is that artistic life is celebrated and considered a praiseworthy vocation. Rousseau, cliams that we can explain why the choice to dedicate one's life to the arts is so widespread on the basis that certain personal advantages namely; public praise and improved social status, are seen to

[300] Kant 'Conjectural Beginning of Human History', 2008, p.171
[301] Christopher Kelly *Rousseau as Author: Consecrating One's Life to the Truth* University of Chicago Press, 2003 p.55 and Zev Tracenberg *Making Citizens: Rousseau's Political Theory of Culture* Taylor & Francis, 1993 144-150
[302] Nicolas Dent *Rousseau: An Introduction to His Psychological, Social and Political Theory* Oxford Blackwell, 1988, p.38

be gained from it.[303] Therefore, insofar as the arts are 'esteemed' in society at all so he argues, this is a symptom of wider political and social inequality, since esteem for Rousseau is connected to an unequal distribution of talents and so of the inequality amongst human beings. It is what he refers to in the crux of his argument regarding the moral failure caused by the arts, as:

"The disastrous inequality introduced among men by the distinction of talents and the debasement of virtue." (First Discourse, CW 2:18, PL. 3:25) And : "A taste for letters . . . and the fine arts destroys the love of our primary duties and of true glory. Once talents *preempt* the honors owed to virtue, everyone wants to be an agreeable man, and no one cares to be a good man' (21/II.966).

Rousseau acknowledges that even insofar as we are able to recognize a shared property which makes us morally equal, human beings will continue to desire confirmation in the eyes of others of their worth as *particular* individuals. [68] 'Esteem' then, by Rousseau's lights, is distinct from moral respect, just as it is in Kant, since, esteem does not recognize a universal right which all individuals enjoy on the shared possession of a capacity which, as we noted above, is defined as the capacity of being able to stand under the moral law. Rather, esteem is to regard another person as worthy of admiration on the basis that they are distinct, and that they stand apart from other human beings in light of their individual excellences. Esteem therefore cannot be something which all persons are equally entitled in virtue of their common nature. [304] The suggestion is that differential tribute and acclaim would not be given

[303] Dent 1988,pp.39-40: "the most palpable of such advantages is the enjoyment of singular repute and distinction, invidious prestigious superiority over common, ignorant, coarse people. But, evidently, [cultural life] would not yield that to any individual unless there was a general social orientation towards paying the tribute of prestige to people for ingenuity and wit of this kind. So his second suggestion is that differential tribute and acclaim would not be given to such effusions unless luxurious indolence and indulgence had become very widespread, causing people to look around for diversions and trinkets to exercise their restless favour or scorn upon."

[304] For more on this point on the distinction between esteem and respect which draws on Kant, see the excellent extended discussion in Neuhouser 2008, pp63-74

to such effusions unless luxurious indolence and indulgence had become very widespread, causing people to look around for diversions and trinkets to exercise their restless favour or scorn upon. They desire to be valued, admired, and loved for their distinctive accomplishments and even for their natural (and sometimes trivial) endowments and properties. [305]

However, just as Kant associates the vices of culture with the predisposition to humanity, and insofar as they are connected to this disposition, they are also crucial to human development. So, Rousseau claims that esteem, as an expression of *amore propre*, as a basic psychological fact of human being as social animals, is also the source of the good. Rousseau then, does not therefore advocate expunging *amore propre* from society. For him the purpose of the social contract will be to redirect the harmful effects of *amore propre*, in its 'inflamed' variety into the basis for (moral) respect, since if left as it is, such expressions of 'inflamed' amore propre can only lead society to both moral and political failure. On this basis then, Rousseau argues, that it will be necessary to design legitimate cultural and political institutions which would ideally aim, not to eradicate, but to harness *amour propre* in ways that are conducive to virtue and mutual cooperation, through transforming esteem into respect, and therefore promoting political *success*. [306]

Following ZevTrachtenberg, I now consider Rousseau's claim that a society which retains a system of culture and the arts with the wrong characteristics will inevitably encourage certain dispositions in individuals which can make social cooperation dangerously uncertain.[71] Through his specifications of Ideal culture or culture as it *ought to be*, we can foster the development of those dispositions which are best able to promote harmonious, collective

[305] Neuhouser 2008, p68

[306] Here I am indebted to Trachtenberg 1993, p.209. : "Legitimized amour propre . . . fosters civic virtue, which promotes political success by encouraging social cooperation. The political success of society as it could be, that is, depends on the exploitation of amour propre that cultural institutions organize."

action. Rousseau's recommendations for the reform of culture and the arts amount to the specification of a politically supervised culture whose function would be to control and re-direct *amour proper* to civic ends. However, as Trachtenberg has himself pointed out, Rousseau's cultural ideal is inconsistent with his theory of political legitimacy.[307] The cultural institutions which he believes are necessary to sustain society *as it could be* "invalidate his explanation of how individuals can be free while they are obligated by the law—and thereby render that society illegitimate."[308] That is to say, Rousseau's cultural ideal, being essentially one of re-direction of *amore propre* through legislation would encourage a "love of the laws" in the people and foster in them the consciousness of the notion that laws they make are their own, thus leading to the enforcement of the general will. The problem is that the ideal culture does not foster the appropriate cognitive skills which citizens require in order to make sound collective judgments regarding the common good. Thus, according to Trachtenberg, we have no reason to expect the members of society as it could be, could therefore enter into political institutions as competent voters, nor that they would gain competence by means of their participation. Rousseau therefore provides no foundation for cognitive development. From this I finally consider how Kant's specifications turn on the same suggestions, that of the necessity for a legally constrained culture, and whilst I suggest his thesis has its own problems, I also suggest that due to its emphasis on cognitive requirements it can be considered as an advance on Rousseau's.

Kant is in agreement with Rousseau regarding the origins and effects of rivalry and inequality as an effect of the development of reason through culture. As he writes; "Skill cannot very well be developed in the human race except by means of inequality among people"[309] and moreover he agrees that in order to counter these debilitating effects we require the

[307] Trachtenberg 1993, p.213-222
[308] Trachtenberg 1993, p.245
[309] Kant 'Critique of the Power of Judgment' 2000, p299

development of social institutions. But if it is the purpose of the human species is to be led from culture the realization of our final end, why then does culture engender such vice and destructiveness? And moreover, from a practical perspective, is it not precisely in the face of this sort of hostile and amoral world, which engenders the thought that our moral vocation is impossible, and of which is the prime candidate for leading us to moral failure? In section 83 of the Critique of the Power of Judgment, Kant re-affirms his view that it is the development of practical reason itself which contains the source of human discord. As we have said, the culture of skill is defined as being "the aptitude for the promotion of ends *in general*", which is necessary, but "not sufficient for promoting the will in the determination and choice of its ends, which however is essential for an aptitude for ends."[310]

Kant's thesis regarding culture as the source of discord is surmised by Sharon Anderson-Gold that in "releasing man from instinctual direction, practical reason enlarges the scope of purposive activity, but also carries with it the danger that some of these purposes will conflict. Cultural difference clearly emerges from practical reason's power of choice and ability to set arbitrary purposes." [311]

However, Kant's view whilst distinct from and an advancement of Rousseau's, retains the idea of the cultural situation of unsocial sociability. Kant believes that propensities to evil explain how human nature can divert from its inherent moral destiny—from "what the human being should make of himself."[312] Indeed as Gordon Michalson notes, "the point of Kant's language about the original predisposition to good and the natural propensity to evil is to enable him to argue that evil arises from what we freely do with what we are naturally given,

[310] Kant 'Critique of the Power of Judgment' 2000, ibid.
[311] Sharon Anderson-Gold, 'Cultural Differentiation and Moral Orientation: Taking an interest in history' Paper given at the Twentieth *World Congress of Philosophy*, in Boston, Massachusetts August 10-15, 1998, accessed 30 April 2014, https://www.bu.edu/wcp/Papers/TEth/TEthAnde.htm
[312] Muchnik 2009, p136

rather than from what we are naturally given taken by itself."[313] Thus the development of culture brings with it via 'unsocial sociability' an increase in mutual antagonism through its fostering of conflicting private interests, which in turn requires the establishment of laws regulating external freedom, since cultural antagonism and rivalry is counter-purposive to the development of the natural predispositions towards the complete use of reason. Thus, the effect of Kantian *amore propre* or "humanity" is as Pablo Muchnick writes;

the psychological mindset that results from the development of sociality out of [animality]. The principles of freedom and perfectibility slowly replace the dominance of self-preservation and pity in the natural state. This development has the positive effect of expanding all our faculties, but comes at the price of disrupting their original harmony . . . The dominance of amour-propre thus institutes a mediated, competitive, and calculative form of life, in which the agent's sense of personal worth depends upon the opinion of others. This mode of relation leads to inevitable conflicts: factitious comparisons produce a zero-sum game in which one's sense of superiority is purchased by another's sense of inferiority. More importantly, the game is self-defeating: the assurance we expect to receive about our worth never arrives because those who are perceived as inferior cannot validate any self-image worth-having. [314]

And it is through this debilitating social dynamic, that human beings are forced into doing what they ought to do, just as Rousseau conceives the necessity for the redirection of *amore propre* towards virtue. So Kant writes that

this splendid misery is bound up with the development of the natural predispositions in the human race, and the end of nature itself, even if it is not our end, is hereby attained. The

[313] Gordon Michalson *Fallen Freedom: Kant on Evil and Moral Regeneration,* Cambridge University Press, 1990, pp37-38
[314] Muchnik 2009, pp144-145

formal condition under which alone nature can attain this its final aim is that constitution in the relations of human beings with one another in which the abuse of reciprocally conflicting freedom is opposed by lawful power in a whole, which is called civil society; for only in this can the greatest development of the natural predispositions occur.[315]

Thus, since it is reason itself which is both the source of and the solution to cultural difference and conflict, reason itself must develop, through its own internal capacities, the critical power to integrate plural and potentially conflicting ends. To take Anderson-Gold's point; "The resolution which results from a developed reason is simultaneously the unfolding of genuine or perpetual peace."[316] The internal necessity of reason (as we have seen with regards to to the first teleological maxim of the principle of suitability) explains how the development of the predispositions to the use of reason is bound up with the institution of just cultural institutions and that this presents a basic first step towards morality. However, the inhabitants of this state of affairs Kant essentially conceives of as being self-interested, albeit constrained in their pursuit of their own happiness by the rule of law, it is still prudential and technical reasoning which remain the order of the day rather than moral reason.[317]

In conclusion, culture creates the conditions for moral agency and the thought of and thus motivation for moral improvement, which is just to say that the ability to conceive of culture as progressing towards the good, enables us to strengthen of our moral disposition. However, as Muchnick points out above, any further effort to transform these civic-legal conditions, which are really themselves *pre*-conditions[318], in the promotion of the 'ethical community' dictated by the highest good, itself requires of us a fundamental revolution in our mode of thought, which by rights must be down to us. Culture does enough just to help provide us

[315] Kant 'Critique of the Power of Judgment', 2000, 299
[316] Sharon Anderson-Gold *Unnecessary Evil: History and Moral Progress in the Philosophy of Immanuel Kant 2001*, State University of New York Press p58
[317] Muchnik 2009,p.149 The problem with this situation is, as Muchnick writes is that:
[318] I am indebted once more on this to Cohen see; 2009, 125

with a "way of thinking" that such an effort is not impossible. Although the legal order ("the [stage of] presumed moralization") that arises out of the tensions of *amour-propre,* forces the individual to take other agents into consideration, it falls short of expanding her judgment into a universal law. And Kant belives that only the idea of the moral law and the respect inseparable from it can guarantee such expansion. Therefore, Kant believes that, in order to realize man's moral destiny, the mode of deliberation that personality embodies must supersede that of humanity. But whereas humanity superseded animality in the development of civilization as one form of self-love gave place to another, personality entails a radical discontinuity and requires a deliberate decision on our part"

Conclusion

Let me now conclude this chapter. I hope to have shown that Kant's thesis on the highest good is one which follows strictly from the moral law, that is, it provides an answer to the question regarding what sort of world might be possible if each of us acts as we ought. Kant does have a moral teleology. The arts have a moral-practical significance for Kant only in terms of their functional role in helping bring about the highest good; which as we have seen lies in their capacity to develop the conditions for the complete use of reason and in creating the conditions for the thought of the possibility of moral progress. The arts then cannot literally make us moral, the reason being as we have seen that this would make morality conditional on extrinsic empirical requirements. We have also seen that for Kant and Rousseau, the arts are a source of social antagonism, rivalry and inequality, tendencies which run counter to the purposive exercise of morality and the promotion of civic virtue. Therefore, the necessity of developing cultural institutions from the position of public right, which may reform the arts on the basis of the regulation of external freedom. This legally enforced culture; what Kant terms civil-society must then be transformed into the ethical commonwealth, under the doctrine of the highest good. Therefore, neither Kant nor Rousseau

argue that the arts, whether in terms of practices or of the type of experiences they afford us, have an intrinsic value, but rather an extrinsic or relational value, of which they inherit from their relation to the final end for Kant and the fostering of the Ideal State for Rousseau. It is to Rousseau we turn in the next chapter.

5.

Rousseau: the Case against Culture and the Arts.

5.1

In this chapter we will be concerned to trace out some of the ways in which culture and the arts may impact on how far a people are motivated to sustain the institutional and civic measures required for the enjoyment of equal freedom. The chapter will be divided into two parts, the first will consider how a system of culture might fail in this regard, and in the second we shall consider how it might succeed. And we will be considering these issues through a reading of perhaps the most famous work of cultural critique in the modern republican tradition, Jean-Jacques Rousseau's *Discourse on the Arts and Sciences*. In this work Rousseau argues that culture and the arts are a principle agent in the corruption of free republics. Indeed culture and the arts are corrupting because they undermine that which all democratic republics require in order that they be adequately maintained namely the attributes and dispositions associated with civic virtue. Rousseau argues that the historical tendency towards a loss of liberty may be explained at least in part, by how far societies have cultivated and promoted the fine arts. Whereas, in the case of states which remain unfree, the development of the fine arts so he argues, will serve to strengthen despotic power. In order to understand these claims, we will need firstly to consider Rousseau's thesis on degeneration or corruption in his cycle of regimes and in order to place the development of culture within the cycle of corruption he proposes.

5.2. Cycles of Corruption

Rousseau gives an account of the cycle of regimes in his *Second Discourse,*[319],there he argues that the origins of each of the three 'pure' forms of government; monarchy, aristocracy and democracy, are to be taken to depend upon, "the greater of lesser differences between individuals at the time of their institution". Hence it is the degree of inequality, measured in terms of the distribution of social goods, particularly wealth, prestige or merit and political power that will determine the form of government.[320]In the case where a single individual has come to hold "pre-eminence in power, wealth and prestige", the state will be a Monarchy. Whilst in the case where several have come to surpass all others in the above goods and are elected together on that basis, the state will be an Aristocracy. And in the final case where social goods are limited and where there is little motivation for competition for superior social status; "the people will have retained supreme Administration in common" by which he means that the state will be a Democracy. In a break with the ancient theorists[321] of regime cycles Rousseau does not proceed to give an account of how each of the pure forms degenerates into a corrupt form, rather he begins from the premise that, for each of the three forms of government their magistracies are at first elective[322] and so he argues the source of corruption in all cases will flow from the electoral mechanism itself. This is because, for Rousseau the system of election is itself dependent upon the competition for an ever greater public power and prestige characteristic of *amour propre*. Which is to say electoral standing or political status, is measured in terms of the amount of a social good(s) one possesses *relative* to, or in comparison with others. And where amour propre is the motivational element which explains the competition for social goods. Since amour propre, is by

[319] See in particular Rousseau, The Discourse on Inequality', 1997,p.181-188
[320] Rousseau considers the 'Golden Epoch' as a period in which the existence of social goods was at a minimum, indeed where the only social goods were natural talents. It was with property and wealth that social goods so Rousseau argues expanded and became the measure of value Rousseau,1997,p167.
[321] In particular: Polybius, Herodotus, Plato, Aristotle, Xenaphon also Livy.
[322] Rousseau, The Discourse on Inequality', 1997, p181

definition, insatiable, since it involves competition for *ever greater* social standing or status measured in the relative amount of social goods one possesses, it is a zero sum game which for Rousseau can end only in tyranny. Rousseau explains that when social goods are limited, the process of selection between representatives will be based solely on the merit of the candidates. He argues that this will confer a "natural ascendency" in favour of age. Since, as he observes in reference to the Senate in Rome, the Ephors in Sparta, and the Hebrew Elders, age is a primitive indicator of "experience in business and equanimity in deliberations."[323] But this primitive measure becomes distorted when social goods replace natural talents as the commonly endorsed scale of measurement of status and when the deaths of aged representatives create perpetual elections. As he writes "[t]he more elections settled on men of advanced age, the more frequent they became and the more cumbersome they made themselves felt"[324] such circumstances then were ripe for exploitation by "the ambition of the most Preeminent men"[325] who will quickly take advantage of the growing intrigues and factions which surround successive deaths and ensuing proliferation of electoral campaigns, in order "to perpetuate their offices within their families."[326]The people, on the other hand, so Rousseau argues, have at this point in the cycle been more or less permanently shut out of sharing in government as elite power increases, and are now so "accustomed to dependence, repose and the comforts of life, and already past the state where they could break their chains, [they] consent […] to let their servitude increase in order to consolidate their tranquillity".[327] Finally, having now become hereditary, elected representatives are accustomed to viewing their power as a hereditary possession, and "to regard[ing] themselves as owners of the state

[323] Rousseau The Discourse on Inequality', 1997, pp,181-182
[324] He gives no argument for why this might have been the case, we might claim that it is presumably due to the frequency of deaths in the ranks of an aged senatorial class.
[325] Rousseau, 'The Discourse on Inequality', 1997, p182
[326] Rousseau, 'The Discourse on Inequality', 1997, ibid
[327] Rousseau, 'The Discourse on Inequality', 1997, ibid. I argue below that Rousseau might very well have been thinking of the late Roman republic in his composition, particularly Sallust and the debacle over the legacy of Sulla, and Lepidus' speech in Sallust. Histories Vo.1.

of which they were at first only the Officers, to calling their Fellow-Citizens their Slaves, to counting them like Cattle among the things that belong to them, and to calling themselves equals to the Gods and Kings of Kings." [328]Rousseau now connects this cycle of corruption to his broader genealogy of inequality which is understood to drive the cycle of degeneration forwards in three phases. In the first phase which establishes law and property, the relations of rich and poor are created. The second phase, establishes electoral governments which inaugurates the rule of the powerful few for the security and tranquillity of the poor and weak. For Rousseau, it is at this state where wealth becomes intimately connected to the electoral process itself, insofar as elections begin to favour the ascendance of the wealthy to the highest offices where wealth now becomes the indictor of merit. This is because, in the first phase, where distinctions in "wealth, nobility or rank, Power and personal merit"[329] are established, it is wealth to which these goods can be finally reduced wealth can be used to purchase all the rest. He indicates that with the proliferation of wealth, any attempt at staging elections based solely on natural talents are at best naive and at worse an impossibility.[330] Hence characteristic of the second phase is that the rich in being dependent on votes of the people to attain and consolidate power, are able to use their greater material advantage to create clients and to purchase votes and loyalty among the less well-off. This practice will become widespread given the "universal desire for reputation, honours and preferment"[331] or otherwise; the "frenzy to achieve distinction". Such that, Rousseau argues that it is during the

[328] Rousseau, 'The Discourse on Inequality', 1997, p182
[329] Rousseau, 'The Discourse on Inequality', 1997, p183
[330] At least without very real limits on the presence of wealth in elections. See SC ? Rousseau favours electoral government, not for reasons of legitimacy but for reasons of getting the technical knowledge which he believes is required for the implementation of law into the legislative procedure. But according to the Second Discourse account above, and in a manner broadly compatible with the Social Contract argument, wealth poses a significant danger that these magistracies will be simply be co-opted by private interests, hence there would have to be significant limits on wealth and significant powers of control on the part of the popular assembly over the executive in order to deal adequately with this possibly.
In his *Project for Corsica* he elucidates further on this point, writing that; "Some aspire to authority, so as to sell the use of it to the rich and thus get wealth for themselves; others, and the greater number, go directly for wealth, for they are sure that by means of it they will someday get power, by buying either authority or those who possess it" (Corsica?).
[331] Rousseau, 'The Discourse on Inequality', 1997, p183

second stage of corruption that "the ambitions of a few powerful and rich men at the pinnacle of greatness and fortune", presumably those with the most clients and influence, finally usurp the state and effect its transformation from an electoral into a heredity despotism, in the final enslavement of the poor and the weak under the "Mastery*"* of the powerful and rich. This is the "ultimate stage in corruption", or, the "last degree" of inequality, is then the state to which all others finally lead, "until new revolutions either dissolve the government entirely, or bring it closer to legitimate institution." Now, having viewed Rousseau's rather despairing tale of corruption and degradation of political society, our question now will be to ask where the arts fit on the above genealogy of corruption. Rousseau identifies the arts as being the privilege of those who possess a certain level of education and greater amount of leisure time,[332]than others. So the arts may be understood as themselves made possible, only given certain inequalities in class, education and work/leisure. Furthermore he argues that the arts are both caused by and further effect, the inflammation of *amour proper:*[333] the desire to gain advantage over others. So the arts in being caused by and in giving further effect to *amour propre*, are themselves corrupting, and are themselves indicative of corruption. If we position the emergence of the arts midway through the cycle of inequality, Rousseau will argue that, based on observations as to the degree in which the arts are widespread and flourishing in a society, we may infer how far that society is moving towards the "last degree" of inequality. And so, I claim that the Discourse itself, together with his wider thoughts on the arts and culture, can be understood both as a warning to his own republic regarding the danger of introducing the arts into society to any significant manner,[334] and, in the case of monarchical

[332] This will be cashed-out in the analysis of his use of idleness as we will see, but is a reasonably uncontroversial assertion at this point. See for instance Trachtenberg 1993,144-175

[333] For a discussion of amour propre, see Neuhouser *Rousseau's Critique of Inequality: Reconstructing the Second Discourse* Cambridge University Press, 2014, pp61-109

[334] See in particular the *Letter to d'Alembert on Spectacles* in 'Letter to D'Alembert and Writings for the Theater', Volume 10 Kelly Ed.

France, Rousseau hopes to assist in "changing the objects of their esteem, and perhaps slowing down their decadence." [335]

5.2 On the Arts and Virtue.

Rousseau begins the *First Discourse* with the argument that the arts and sciences are a principle, but not the *sole* cause of corruption of free-states, because the arts both are caused by and give effect to what he terms 'idleness' [*l'oisiveté*]. Culture and the arts, he writes, are "[b]orn in idleness", and moreover "they feed it in turn".[336] In order to understand Rousseau's use of 'idleness', I suggest that we will need to go back to the classical texts from which he draws. It is a mistake to assume that Rousseau means by 'idleness' something equivalent to 'laziness',[337] rather, as I shall argue, by 'idleness' he means something akin to political *withdrawal.* And as we will see, it is the qualities associated with this withdrawal which lead to an enervation of certain physiological and psychological attributes and dispositions e.g. strength, courage, the commitment to fight against injustice,[338] which are required for the maintenance and for the defence of a common freedom. Hence, I suggest that Rousseau uses 'idleness' to signify the qualities connected to the life of contemplation. Since the life of contemplation, as we will see, by definition is premised upon political withdrawal, it is corrupting, but its corruption is understood in terms of an absence of virtue, or, an indifference towards injustice[339] and not with intentionally choosing vice.[340] And if I have him right, this corresponds to Rousseau's belief that the arts are not themselves vicious.

[335] Rousseau, 'Rousseau Judge of Jean-Jacques' in Roger Masters and Christopher Kelly (eds) Judith Bush, Roger Masters, Christopher Kelly (trans) *Judge of Jean-Jacques – Dialogues* University Press of New England 1990, p216

[336] Rousseau 'The Discourse on the Arts and Sciences', 1997, p.14

[337] See Rousseau's remark "What am I saying [that artists are] idle? I wish to God they were"! Here and in what follows it will be clear that I disagree with Nicholas Dent 1988 regarding his attribution of the term indolence. True Rousseau does not think the arts and sciences are a good use of one's time, but 'indolence' does not capture why he thinks so.

[338] See Maurizio Viroli *Jean-Jacques Rousseau and the 'Well-Ordered Society'* Cambridge University Press, 2002, p.222

[339] Maurizio Viroli *Machiavelli* Cambridge University Press 1998, p.149

[340] Hence Rousseau 'Discourse on the Arts and Sciences' 1997, p17, writes "*not* to do good is a great evil"

Indeed, he thinks we would be beginning with mistaken premises if we were to attempt to argue that the arts are a bad *in themselves*. Rather, as he makes clear in the Letter to d'Alembert,[341] the corruption wrought by the arts can only be understood in relational terms and hence by way of the "occupations they *interrupt*" and the degradation which "they *serve*". But, as we will see Rousseau wishes to claim that the true object of corruption is not merely selfish and lazy artists who fail to cultivate the virtues conducive to the common good. Rather he will argue that the corruption associated with the "taste for letters" can ultimately be explained as effects of a more distant cause[342] namely, the "craving for distinction". Hence the arts are principally a privilege of elites who have the acquired the leisure time and independent means to engage in artistic and cultural pursuits, but also as a means of competing among themselves in order to further their own advantage. The object of the arts is not simply the refining of oneself, but to become *ever more* refined in comparison with others. And as we will see the widespread promotion of this disposition in society has the effect of destroying public morals.

Let us now consider Rousseau's use of 'idleness' against the classical republican writings. In these writings 'idleness' is signified by the Latin term '*otium',* which is used (*inter alia*) to denote*;* 'security', 'peace', 'repose', 'leisure' 'withdrawal' and 'ease'. One of the contexts in which *otium* is used by the Roman writers is to denote the characteristics and dispositions of the *vita contemplativa,* or, the contemplative life. We can get a good sense of what the contemplative life involves from Aquinas in his 'The Order of Learning the Sciences', he writes:

[341] Rousseau Letter to D'Alembert in *Letter to D'Alembert and Writings for the Theater* Alan Bloom, Charles Butterworth and Christopher Kelly (eds and trans) University Press of New England, 2004, p293

[342] Here I follow Dent (?) Kelly (?) Masters (1968) and in particular their claims for a political rather than merely moral argument behind the *Discourse* in Campbell & Scott (2005)

The ultimate happiness that man can have in this life must consist in the contemplation of the first causes; for the little that can be known about them is more loveable and excellent than everything that can be known about lesser things...And it is through the completion of this knowledge in us after the present life that man is made perfectly happy.[343]

Prior to Aquinas, Aristotle in the *Nicomachean Ethics*, had argued that intellectual contemplation is the "complete happiness of a human being, if it receives a complete span of life"[344] and thus, the life of contemplation must be the best way of life. That is, if the best way of life is one lived in accordance with one's nature, then in consideration of *human* nature, the mind is the divine part. Such that, a life lived in accordance with the activity of the mind must be a *superior* form of activity.[345] Moreover, if that which properly belongs to each thing by its nature, is not only to be considered what is best for it, but what is also most pleasant for it, then if human beings are first and foremost '*minded'* beings, the most pleasant way of life for them must be an intellectual life. Hence, for Aristotle, the intellectual life will be one that is *superlatively* happy. Now, whilst he identifies our ability to engage in reason-governed activities generally, to be that which separate us from mere beasts, he wishes to distinguish further between those properly intellectual activities and all those other activities and pursuits that are *merely* 'human'. Insodoing he argues that our intellect is capable of contemplating much more than merely that of practical or political affairs which concern simply the ends of practical reason, our actions and means, indeed, the minded capacity of human beings is capable of *sophia*, or the attainment of intellectual virtue, as contrasted with *phronesis*, the virtue of prudence or practical wisdom. Hence, *sophia* is closely associated with *theoria,* or, knowledge of the highest objects which Aquinas referred to above as 'first

[343] Aquinas *The Order of Learning the Sciences* in The Division and Methods of the Sciences, trans. Armand Maurer, 1986) p. 100) *cf* Aristotle *Nicomachean Ethics* trans. Christopher Rowe Oxford, 2004, pp. 250–2 (1177a12–1179a33)
[344] Aristotle 2004, p.251
[345] Aristotle, 2004, p253

causes'. *Sophia* also importantly designates artistic activity, principally, the various technical excellences of the artist "well versed in all wisdom".[346]As Aristotle notes in his discussion of poetry, "we apply the word *sophia* in the arts to those men who are most precise in respect to their *technai*...we take *sophia* to mean nothing other than their excellence in *techne*."[347] And the highest form of artistic *sophia* is considered to be epic-poetry where what is most noble and beautiful about great men could be best revered. Such that, for Aristotle wisdom was conferred on those artists who had demonstrated technical excellence in their field but itself dependent on their display of an all-round wisdom.[348]In his discussion of the education (*paedia*), of the citizenry for virtue in his *Politics*, Aristotle writes, in reference to music (by which he refers, not simply to instrumentation but to dance, performance, and oral poetry) that; "there is a form of education which we must provide for our sons not as being useful or essential but as elevated and worthy of free men." [349] The fine arts then play a part in the citizen's education since they are assist in motivating virtue expressed in the "effect on the character and the soul."[350] Secondly, in reference to their elevated and worthy nature, Aristotle claims that the arts are only can only be appreciated by *free* men, that is men of rationality, and hence he excludes, women, slaves and labourers who do not qualify as free men and hence do not qualify as citizens on the basis of their lacking rationality, from an artistic education. In referring back to the discussion of *Sophia*, Aristotle argues that *Sophia* is what is best in us.[351]And, a life of contemplation suitably directed towards philosophical and artistic pursuits must itself be the highest form of happiness. To be sure, it is a happiness distinct from that of a life merely lived "in accord with all the other virtues the activities of

[346] Homer *The Iliad* Rodney Merrill (trans) 2007, 15.411-12
[347] Aristotle, 2004,. 6.7, 1141a9
[348] Aristotle, 2004,. 6.7, 1141a9-14
[349] Aristotle The Politics in y J. L. Ackrill (ed) *A New Aristotle Reader* Princeton University Press, 1989 p539
[350] Ibid, p.323
[351] Aristotle, 2004, ix 8.

which are human."[352] Hence, Aristotle distinguishes between those "virtues and activities of which are human", and not truly characteristic of the perfection of free men, since ultimately they are descriptive of those pursuits directed at external or instrumental goods, goods which are typically correlated with one's *phronesis*, and what he refers to as the 'divine', intellectual pursuits associated with *sophia*. Thus the best and thus happiest way of life is identified both with a particular form of activity, namely contemplation *schole* (leisure), and by way of a reflection on the proper content of that activity, i.e. the 'highest objects'. Thus, when considering the virtues of *theoretical*, in distinction from *practical*, wisdom, he writes that "there are things much more divine by nature than man is, of which the most manifest are those out of which the cosmos is composed."[353] Intellectual activity is thus good in-itself and since the highest objects that it contemplates are also good in-themselves, the contemplative life is considered to be a self-sufficient form of happiness. And Aristotle argues that to achieve happiness of this order, will require devotion to contemplation for "a complete span of life". If that which interrupts the life of contemplation is practical activity, then the ideal of contemplation should, therefore, and as much as is possible, be spent in solitude, away from the vicissitudes of human affairs[354] of which would disturb its continuum.

Now, for the Roman Republican writers, the use of the term *otium*, often appears in the context of the description of the qualities associated with the life of contemplation[355], or, as it is rendered in the Latin, the *vita contemplativa.* And in this context, *otium* may be taken to refer to a specific kind of inactivity, in a certain sphere, which follows from an individual's withdrawal from public affairs to the world of private leisure. Hence the qualities of the *vita contemplativa* are antonymic, so the Roman writers argued, to those qualities required for the

[352] Aristotle, 2004, 1178a9-10
[353] Aristotle, 2004, 1141a33-b2
[354] Aristotle, 2004, 1177a-8a
[355] See for example Quentin Skinner *Visons of Politics Vol 2*. Cambridge University Press, 2002, p.6-7, for Skinner's discussion of the use of the term during the Renaissance see pp.98, 121, 130-31

active life or the life of *vita activa*. Thus *otium* as the preoccupation with the arts and philosophy is indeed used to signify an individual's dereliction of his duty. I propose therefore to define this initial sense of *otium* as, a motivational failure on the part of an individual, to prioritize public duty over individual happiness. Cicero for example connects each of the four cardinal virtues: prudence, justice, magnanimity and temperance, to the qualities of the active life, itself understood to be centred on public *negotium* (or, public business) and where each of the virtues is itself connected and interwoven with the supreme ethical imperative of seeking the common advantage (*utilitas*).[356]Hence virtue is understood to be an active and *other*-regarding concept, exercised through ones bringing about of the common good, and therefore it is distinct from the passive and *self*-regarding concept of *otium,* under the *vita contemplativa.* For example, when Cicero, writes that prudence, (*prudentia*) is "the practical knowledge of things to be sought for and things to be avoided" he is at one with Aristotle. However practical knowledge he argues is not only superior to intellectual knowledge, but if it is to be virtuous it must be subordinated to social duty (*officiium*), since it must be rendered serviceable to the whole community for the common advantage. Hence, Cicero argues that the learned must "apply their own practical wisdom and insight to the service of humanity."[357]The desire for knowledge, purely in the service of one's own happiness, since incompatible with the common good, is a pursuit that cannot be virtuous or *honestum*.[358]

Otium is further used during the period of civil strife between *optimates* and *populares* in the late republic. In this context we find the term takes on a more political, indeed contested meaning. Once more we can turn to Cicero, who was perhaps the first to use *otium* in this

[356] Cicero*De. Offiic* Bk 1.
[357] Cicero*De. Offic*. 1.44.156
[358] Cicero,*De offic. I. 19 & I. 69-7I*

context[359] . Here *otium* is connected both to his philosophical thought, concerning the best regime and of the ideal statesmen and as we will see the wider *optimates* ideology. Central to Cicero's political thought was the idea of the mixed constitution, which, had at its centre, the *concordia ordinum,*[360] or, the harmony of the social orders within the commonwealth. The *concordia* was intimately connected to the principles of the rational ordering of the commonwealth for the common advantage, according to certain tenets of Stoicism and natural law. Cicero argues that harmony is best secured through limited popular representation in government under the leadership of the senate as the key deliberative body in the state, and elective higher-magistracies which should be distributed according to merit. Scipio notes in *De re publica*, the achievement of *concordia* was to depend upon a blending of wills where each part in the body politic has its own functional role, measured in accordance with perceived differences in competence between classes. Due to these assumed differences,[361] the mixed constitution was devised so as "to guarantee the political domination of [of the people by] the aristocratic landholding minority"[362]. And, according to Cicero, the ideal statesmen, was the one who was devoted to the maintenance and preservation of this sense of harmony. Now, Cicero gives *otium* a political meaning during the Catiline debacle, and in the context of the agitation for popular reform. He uses the term in reference to public peace, and the tranquillity of the commonwealth, in the absence of civil strife, and thus to reaffirm the importance of the *concordia*. *Otium* in this context, refers to the preservation of the status quo which should not be disturbed by popular agitation.[363]In his argument against Rullus' agrarian reforms and the public unrest they unleashed, Cicero exclaims: "What is so welcome to the people as repose [*otium*] …especially when

[359] Neil Wood *Cicero's Social and Political Thought*, University of California Press,1991, p.194
[360] Robert T. Radford *Cicero: A Study in the Origins of Republican Philosophy* Rodopi, p.35
[361] At least in the thought of the *optimates* ideologues. See Valentina Arena's excellent *Libertas and the Practice of Politics in the Late Roman Republic* Cambridge University Press, 2013
[362] Wood, 1991, p.193
[363] Wood 1991, p.194

accompanied by authority and dignity [*imperio ac dignitate*]?"[364] Here, the *dignitas* in question is that which is owed to the senate by the people for its wise rule. And it is owed moreover, for the senate's preservation of the people's *otium*; namely, peace and security, delivered through their (political) tranquillity. Hence in asking the people to trade-off their demands for popular reform for the greater peace and security of the whole, Cicero wishes to preserve *otium* through a direct attempt to rob the people of the occasion to exercise their constituent power.[365]And when he famously uses the phrase "*cum dignitate otium*"[366] in March 56, to surmise the aim of all *optimates*, he means roughly the same thing; "peace and quietude for the masses, political prestige, influence and worthiness for the 'Best Men."[367]As such, he lauds, his fellow senatorial gentlemen as the unrelenting enemies of the *populares*, who, through their defence of aristocratic privilege and domination of the political process have most faithfully followed the ideal of *cum dignitate otium.*[368].Now, a contrasting sense of this sense of *otium* can be found in Sallust's[369] account of the speech made by Lepidus in 78 where he urged the people to rally around his attempt to overturn the aristocratic policies first put into effect under the Dictatorship of Sulla, and entrenched by the senate after Sulla had left office. Sallust's attribution of *otium*, to Lepidus, approaches something closer to the use of the term in a *populares* context.[370]. In his speech Lepidius calls for both the restoration of the tribunate of which Sulla had dissolved during his rule, and for greater popular representation in the *curia* of which Sulla had packed with aristocrats. He exclaims that the people's passivity in the face of such tyranny is tantamount to their own enslavement. In

[364] Cicero quoted in Wood, 1991, p194
[365] Miguel Vatter, 'The Quarrel between Populism and Republicanism: Machiavelli and the Antinomies of Plebeian Politics,' Contemporary Political Theory, 11, No.3, 2012, pp2445.
[366] See Wood 1991, 197.
[367] Wood 1991, ibid
[368] Wood 199, ibid
[369] Sallust *The Histories, Volume 1* ,Patrick McGushin (trans), Oxford, Clarendon Press, 1999, p.30
[370] I owe this thought to Valentina Arena in her 'The Consulship of 78bc. Catulus Vs Lepidus: and the optimates vs populares affair' in Hans Beck, Antonio Duplá, Martin Jehne, Francisco Pina Polo (ed.), *Consuls and 'Res Publica': Holding High Office in the Roman Republic*. Cambridge; New York: Cambridge University Press, 2011.

Sallust, *'otium'* once more denotes repose and security, but one which must now be rejected, since it is premised on the total exclusion of the people from government. In a play on Cicero's *cum dignitate otium*, the mere guarantee of private freedom, offered by the senate in exchange for the people's tranquillity meant nothing according to Lepidus without the restoration of tribunate and with it the people's political liberty. As Valentina Arena writes "[u]ntil the tribunate had recovered all its prerogatives, the people [were] deprived of any political power, and left in a condition of subjection, at the mercy of elite members, who solely fight for their own power"[371]. Finally, Lepidus argues that security (*otium*) in the absence of *Libertas* qua popular political authority and power, is no security at all. So, in Sallust, Cicero's *otium*, becomes; *'otium cum servitio'* [372]. Lepidus's urges that the Roman people join him instead in the pursuit of a "dangerous freedom over *quiet servitude*."[373] And insodoing, they must choose between '*quies et otium'* on the one hand and '*Libertas'* on the other.[374] We can locate one further use of *otium*. Indeed it is this usage which was used to justify the idea of a differential political competence between the people and the senatorial class based on a certain kind of liberal education, and hence, the claim of right to rule on the part of the elite. In the *Politics* Aristotle had argued that, due to their training in narrow, dependent specialisms; artisans, craftsmen and manual labourers should not be granted citizenship, of which would confer on them the entitlement to deliberate "about what policy is expedient" or "about questions of justice"[375]. Hence, Aristotle argued that given their lack of deliberative competence, it was rational for all those not capable of exercising the virtue of prudence, to accede to the rule of the wise, who govern on behalf of the many, for good of the

[371] Valentina Arena 2013, p.141
[372] Sallust 1999, p.32
[373] Sallust 1999, p.32
[374] Wirszubski, *Libertas as a Political Idea at Rome During the Late Republic and Early Republic* Cambridge University Press, 1950,92-96 and Christopher B. Krebs 'Sallust on Liberty, Tranny and Human Dignity' in *A Companion to Tacitus*, Victoria Emma Pagán (ed) Wiley Blackwell 2012, and Joy Connolly Connelly *The Life of Roman Republicanism* Princeton University Press, 2014, 104-106
[375] Aristotle, The Politics, 1329a2, T.A Sinclair (trnas), Penguin 1962

whole. Hence, in his consideration of the best regime, only the 'gentlemanly' few may be entitled citizenship and hence a role in government. And this is because only these few have received, or indeed would be receptive to, a moral education through which to develop their prudence. And further only the few enjoy the requisite amount of leisure time required for full engagement political affairs. Where prudence is concerned, Cicero inveighs against the Epicurean[376] philosophers of his time, arguing that their merely *intellectual* virtue is quite distinct from the *practical* virtue that is required for good government. As he writes; "virtue is not some kind of knowledge to be possessed without using it: even if the intellectual possession of knowledge can be maintained without use, virtue consists entirely in its employment, moreover, *its most important employment is the governance of states and the accomplishment in deeds* rather than words of the things that philosophers talk about in their corners."[377] We can observe in the above quotation, that Cicero implies that a certain kind of learning cannot be strictly antonymic to the *vita activa.* And therefore, there is a sense of *otium* which is necessity for virtue. In this context, *otium* refers both to the practical use of one's leisure time and to one's *humanitas,* one's education in the liberal arts, since this form of education is most conducive to the common good by way of its production of prudence and wisdom in rulers. *Doing* good, for Cicero means that one be capable of *deliberative* action, and, as deliberative, one's actions must be informed by one's practical wisdom. But one's practical wisdom must be suitably trained though education in oratory and eloquence cultivated through a love of the arts, particularly poetry, in the study of ethics and the direct observation of those involved in political affairs[378]. All of which presupposes that one has the

[376] Cicero *On the Commonwealth and On the Laws* James E. G. Zetzel (ed) Cambridge University Press, 1999, p.3 A rejection that is of Epicurus' though that in order to attain true happiness "we must liberate ourselves from the prison of routine business and politics" to compose poetry and study matter and motion which would corresponds to the first sense of otium as the simple antonym of negotium correlated with individual moral failure.

[377] Cicero*On the Commonwealth and On the Laws ,* 1999, ibid

[378] This practice of experience in political affairs extended to cultivating political friendships in preparation for taking one's place in the senate, in other words, networking.

independent means required[379] to devote one's free time to the cultivation of the virtuous qualities. Hence *otium* is used to refer to an *honourable* form of leisure, of which is to the common advantage. *Otium* is here subordinated to *vita activa*, but need not be opposed to it.[380] And it is in reference to one's education, or, *peadia* that Cicero divides human beings into two classes "one uninstructed and uncultivated" on the one hand, and on the other "the humane and cultivated", where he takes it that the former "always prefer utility to moral value", whilst the latter "always places true worth above all other things".[381] Now for Cicero, it is one's prudence combined with ones skill in oratory that is the mark of the greatness of the statesman, "Wisdom without eloquence" he writes, "is of little use to the community, but eloquence without wisdom mostly does great harm, and never does good."[382] Hence, we might make a general claim that those who have not cultivated practical knowledge can have no claim to possessing the kind of wisdom required to guide the republic.[383] And moreover, since the exercise of one's prudence requires the faculty of language, even if it was the case that one did possess the requisite knowledge of politics, absent the proper training in oratory and one would not be capable of transmitting that knowledge to the multitude. Thus, given deliberative and communicative differences between social orders, it does not follow that everyone will be able to participate fully in *negotium*. Whilst for Cicero the universal capacity for reason grants each person a role in the body politic, the body must be ruled by the mind, and, since the mind is composed of a worst part, the passions, and a best part namely, reason, those who exhibit the dispositions and qualities required for the use of reason

[379] For a good discussion see Joy Connelly, *The State of Speech: Rhetoric and Political Thought in Ancient Rome,* Princeton University Press, 2007,p.95

[380] As Margherita Devine writes in her 'Aristocrats and Assumptions ',*The McGill Journal of Classical Studies* Vol.8, 2010, p44: "in order to foster noble traits… one needed tremendous *otium* to be educated enough to be able to engage in politics at all, as well to be a successful politician once that threshold of education was met."

[381] Cicero *De Oratore, Book Three* H. Rackham (trnas) Harvard University Press,1942, p377

[382] Cicero quoted in . G. M. A. Grube *The Greek and Roman Critics* Hackett, 1968, p169

[383] Cicero, *On the Commonwealth and On the Laws ,* 1999, pp.10-12, for a congenial discussion see, JedAtkins *Cicero on Politics and the Limits of Reason: The Republic and Laws*, Cambridge University Press, 2013, pp. 27-29.

ought to rule over the worst for the sake of the whole.[384] Thus, whilst the people lack communicative and deliberative competence, Cicero does deem them competent enough to judge between competing arguments put to them by their political betters. And on this basis their role in government should be strictly limited to that of voting up or down laws on the basis of judging between best and most persuasive case that they hear, and in choosing between members of the political elites for higher magistracies.[385]

4.3 Duty, injustice and indifference.

How might the above discussion of *otium* in the classical texts allow us to develop our understanding of Rousseau's broad use of 'idleness' in the *First Discourse*? I argue that Rousseau does indeed use 'idleness' in a way that appears to correlate strongly with of *otium* in the first sense referred to above, that is, a general withdrawal from public duty in the pursuit of one's own (as opposed to the common) advantage. As he writes in a letter to a young follower, "The first bit of advice I should like to give you is not to indulge in the taste […] for the contemplative life and which is only an indolence of the spirit reprehensible at every age and especially at yours. Man is not made to meditate but to act."[386] Thus for Rousseau as for the classical republicans, virtue must be understood as an active quality,[387] indeed in the *Discourse* itself he writes that "not to do good is a great evil, and every useless

[384]Cicero, *On the Commonwealth and On the Laws* , 1999, pp72-73

[385] I owe the general thrust of this discussion to Cary J. Nederman, 'Rhetoric, Reason, and Republic: Republicanism — Ancient, Medieval, and Modern,' in James Hankins (ed) *Renaissance Civic Humanism Reappraisals and Reflections*, Cambridge University Press, 2000
We should also not however that , even in their limited electoral capacity, voting took place in the *comitia centuriata* which operated on the basis of weighted votes, so as the outcome would almost always favour the rich candidates. In this vein, Cicero commends the *comitia centuriata* as a particularly wise innovation of Servius Tullius in its ensuring that the "greatest number of votes belonged, not to the common people, but to the rich, and put into effect the principle which ought always to be adhered to in the commonwealth, that the greatest number should not have the greatest power". See Geoff Kennedy, 'Cicero, Roman Republicanism and the Contested Meaning of Libertas' *Political Studies* Vol.62, 2014, pp4.988-501
Pages 488–501 p.9,

[386] Rousseau quoted in Irving Babbit *Rousseau and Romanticism,* Houghton Millfin 1919, p.349

[387] Leo Strauss 'On The Intention of Rousseau' in Eve Gracea and Christopher Kelly (eds)*The Challenge of Rousseau* Cambridge University Press, 2013, see especially pp.137-40.

citizen is a pernicious man". Not only will he argue that the development of the arts encourages a withdrawal from *negotium,* and thus to neglect one's duty to act for the common good, but the practice and the consumption of the arts also leads to an enervation of the physical and psychological qualities such as strength and courage which must be cultivated to remove obstacles to the common good. The study of the arts and cultural production more generally, he writes, leads to a "frailty" and a "weakness of the temperament" [388]in comparison with "strength" and "vigour" gained in common labour. We can consider the above passages against those in the *Social Contract,* where Rousseau argues that the security of the republic depends on the people acting so as to ensure that government is conducted according to the common interest. In his institutional design, Rousseau favours a regime comprising of an inclusive popular assembly, and an elected executive, but immediately he notes[389] that, since the electoral process will invariably favour the wealthy, and since wealth encourages the pursuit of ever greater comparative advantage, elective magistracies present a distinct danger to the common interest. This danger was expressed in the genealogy of corruption that we considered above. The electoral process not only tends towards corruption via the introduction of wealth, but more generally it is distorted when a society allows social goods to become the measure of a person's status or standing. And this corruption is expressed in the use of wealth to buy the favour of magistrates, or, where wealthy magistrates are able to buy the votes of the poor. To counter this tendency, Rousseau requires that the people be disposed to "vigilance and courage"[390] in guarding against the potential for their own "seduction", and the ensuring against the manipulation of the popular assemblies by wealthy minority or factional interests. Hence courage is required, so Rousseau

[388] Rousseau 'Preface To Narcissus ' 1997, p.157
[389] Rousseau 'The Social Contract' in Victor Gourevitch (ed) *The Social Contract and other later political writings*, Cambridge University Press, 1997b, pp.113-115
[390] Rousseau 'The Social Contract', 1997b, p.92

tells us for the defence of "a perilous freedom."[391]And so he reminds us, it would be "great folly to hope that those who are masters in fact would prefer some other interest than their own",[392] hence, should the people not be suitably disposed towards a defence of their common interests by cultivating dispositions which are unconducive to civic vigilance, Rousseau writes this would be akin to a "wish to cease being free."[393] Rousseau's argument then concerns the thought that the widespread promotion of the arts not only distracts from one's duty of vigilance but that the arts cultivate among the people attributes which are themselves counter-purposive to their capacity to discharge this duty. Rousseau argues then that the arts encourage a "*tranquil* servitude", which should remind us of the kind of peace and quiet Sallust has Lepidus proscribe, purchased at the expense of a 'perilous freedom, and where this 'tranquillity' is identified with the life of contemplation.[394]

By correlating virtue to the set of attributes required for the defence of a "perilous freedom", we can now begin to consider a further theme running through the *First Discourse*. That is, Rousseau's insistent distinction between the martial attributes, associated with both Rome and Sparta, and the 'urbane sentiments' of politeness and courtesy, associated with the cultivation of the arts. Indeed as Rousseau would have been aware, the *political* liberty of the plebeians in Rome was achieved in the institution of the tribunate which had itself evolved out of the plebeian composition of the army which enabled the people to use (the threat of) force to extract an equal share in government from the patrician classes. Rousseau writes that

[391] Rousseau 'The Social Contract', 1997b, ibid
[392] Rousseau 'Political Economy' 1997b, p.9
[393] Rousseau 'Ninth Letter' Christopher Kelly and Judith Bush (trans) Christopher Kelly and Eve Grace (eds) *Letter to Beaumont, Letters Written from the Mountain, and Related Writing* University Press of New England, 2001, p293
[394] Rousseau writes of this duty in the Letters from the Mountain: "Not being idle as the ancient Peoples were, you cannot ceaselessly occupy yourselves with the Government as they did: but by that very fact that you can less constantly keep watch over it, it should be instituted in such a way that it might be easier for you to see its intrigues and provide for abuses. Every public effort that your interest demands ought to be made all the easier for you to fulfil since it is an effort that costs you and that you do not make willingly. For to wish to unburden yourselves of them completely is to wish to cease being free. "It is necessary to choose," says the beneficent Philosopher, "and those who cannot bear work have only to seek rest in servitude." (LWM 293, Pl., III, 879–882 see also SC 240/205)

the republic "finally ended because everything must end from the usurpations of its Great, of its Consuls, of its Generals who invaded it: it perished from the excess of its power."[395] Now, this decline was effected at an institutional and not an individual level Rousseau argues, in part, through the encouragement and promotion of the arts: "[in Rome] military virtue died out among them in proportion as they became knowledgeable about Paintings, Etchings, Goldsmiths vessels, and to cultivate the fine arts."[396] He extends this analysis in his reference to renaissance Florence and, in what must be an explicit reference to Machiavelli, he writes; "and as if this famous land had been destined forever to serve as an example to the other peoples, the rise of the Medici's and the restoration of Letters, destroyed once more and perhaps forever the martial reputation which, a few centuries ago, Italy seemed to have recovered."[397]This is a remarkable passage. Firstly, Rousseau is referring here to the Florentine Republic, before its fall to the Medici in 1532, as the land "destined to serve as an example to the other peoples". What is more, he attributes greatness, not to the wise and noble rulers, but to the citizen-militias of which Machiavelli himself wrote, served to protect the people "against the insolence of the great."[398]Thus, it was the corruption of the militias by those who sort the restoration of Letters and, quite possibly, those who promoted the 'Golden Age' of the renaissance itself, which was chiefly responsible for causing the collapse of the Florentine republic. The effect of the widespread promotion of the arts was that it left the people undefended during the ensuing class and factional strife, of which resulted in the

[395] Rousseau 'Ninth Letter' Christopher Kelly and Judith Bush (trans) Christopher Kelly and Eve Grace (eds) *Letter to Beaumont, Letters Written from the Mountain, and Related Writing* University Press of New England, 2001, p293
[396] Rousseau 'The Discourse on the Arts and Sciences', 1997, p.21
[397] Rousseau 'The Discourse on the Arts and Sciences', 1997, ibid
[398] Niccolo Machiavelli *Discourses on Livy* 1988, Bk. II, Chap. 22, p.76.

oligarchic coups that destroyed the Republic and elevated and then reinstalled the Medici to power.[399]

We have argued that we should understand Rousseau as inveighing against the vitiating effects of the cultivation of arts on the physical and psychological attributes, which he views as instrumentally necessary for the defence of a free society. And, we have secondly argued that the effect wrought by the cultivation of the arts is a decline in the contestatory and reactive spirit of the people. We will now argue that Rousseau considers the fine arts and elite culture as promoting a set of social institutions which come to displace the identification with republican norms and institutional values. He singles-out one specific social norm introduced by the arts for particular criticism, namely, that of what he calls 'gentleness'. In the *Last Reply* he argues against Montesquieu's commendation of the idea that the development of the arts and letters might go some way to cultivating 'gentleness'[400]whilst at the same time he acknowledges that gentleness should be considered as "the most amiable of the virtues", it is also he adds a "a weakness of the soul". [401]In reference to Lucius Brutus, he writes that "Virtue is not always gentle", and "when the occasion requires it *can arm itself with due severity* against vice" such that it must be "fired with indignation against crime."[402] Perhaps most crucially, and in a barely veiled reference to the *philosophe's*, the patrons and the artists of the salons among whom he had once lived, he writes that "there are cowardly and pusillanimous souls… [whom] *are only gentle out of an indifference for good and evil*."[403] I

[399] For an excellent discussion see John McCormick *Machiavellian Democracy*. Cambridge University Press, 2011, Both Machiavelli and Rousseau are deeply committed to the institution of citizen militias, in order that the people can better constrain the oppressive ambitions of princes and political elites and in order to provide a limited mechanism of violence responsive to the public good. For a good discussion of citizen militias in Machiavelli see *The Prince Chapter XIII: "Of Auxiliary, Mixed, and One's Own Soldiers"* for a comparison of Rousseau and Machiavelli on citizen-militia see R. Claire Snyder *Citizen-soldiers and Manly Warriors: Military Service and Gender in the Army.* Rowman and Littlefield, 1999.

[400] Montesquieu ,Anne M. Cohler, Basia Carolyn Miller, Harold Samuel Stone (trans and ed) *Spirit of the Laws* Cambridge University Press, 1989k, XV, 4, vol. 1, pp, 329

[401] Rousseau 'Last Reply',1997, p.64

[402] Rousseau 'Last Reply',1997, ibid

[403] Rousseau 'Last Reply',1997, ibid

concur with Mathew Mendham's[404] analysis here that we should understand these passages as an attack not just on the arts but on the inculcation of the arts justified by the broader view, attributed to Jean-François Melon, Montesquieu, Voltaire, Hume and indeed a majority of the leading intellectuals of the time, that by increasing commerce, broadly understood as both economic exchange and social interaction, that individuals and societies would become more *doux*; that is, more mild, calm, peaceable, soft, and/or sweet.[405] We may get a better sense of Rousseau's views on the kind of 'gentleness' promoted through the cultivation of commerce and the arts by comparing these passages with his criticisms of Christian virtue. Christianity, he writes; "far from attaching citizens' hearts to the state, it detaches them from it as were all worldly things. I know nothing more contrary to the social spirit." [406]Rousseau similarly, reserves his severest criticisms for Christianity's call to us to put our trust in God rather than our own arms. The militant defence of freedom he writes "is inconsistent with the *gentleness* of a Christian. And after all, what does it matter whether one is free or a serf in this vale of tears? The essential thing is to go to heaven, and *resignation* is but an additional means of doing so." In short the so-called virtue of 'gentleness' is not a virtue at all, since indeed it may be purchased by nothing more than an 'indifference' to corruption, vice and injustice. Rousseau indeed seems to be following Machiavelli's lead in the criticism of those virtues, *so-called*, which encourage submissiveness and compliance towards elites. The so-called virtues associated with and promoted by the taste for letters, are not be reproached for their barbarousness, or their cruelty, but rather so Rousseau argues, for their '*sweetness'*. If the arts promote a widespread *physical* softness, and, by the same degree, and *psychological* weakness, then it is their moral indifference that makes them contemptible from the perspective of republican virtue. We have seen Rousseau arguing that not to do good is an

[404] Matthew D. Mendham 'Enlightened gentleness as soft indifference: Rousseau's critique of cultural modernization' *History of Political Thought* 31 (4), 2010, pp.605-637
[405] See Mendham 2010.
[406] Rousseau 'The Social Contract', 1997b, p128

evil and every useless citizen who does not strive to act for the common good, is a pernicious man. Such that the moral indifference actively encouraged by the philosophers and the artists in their promotion of gentleness is itself barbarous, and its barbarousness lies in encouraging a 'sweet' or 'pleasant' indifference to inequality. Following this thought further, Rousseau has told us of the effects of corruption wrought by the cultivation of arts, and he has hinted at those he deems responsible, political, philosophical, and cultural elites. I now turn to Rousseau's critique of the leadership of the learned few which he carefully places inside his attack on the arts and sciences. As I will argue, this critique can be best viewed by returning to the very first passages of the *Discourse* where Rousseau argues, that these elite groups are responsible for manipulating the people into accepting a trade-off between equal freedom and the repose of *otium.*

In the first passages of the Discourse he refers to a government and its laws which guarantee the "safety and well-being of men assembled". And he argues that the arts are "*less* despotic" but "perhaps *more* powerful" than formal political power. [407]Now, the immediate question is why he should view the laws which guarantee safety and well-being as 'despotic'. And secondly, in what sense does he understands the arts as colluding in this despotism. To answer the first question, we can consider a passage from the genealogy of political inequality as presented in the *Second Discourse*. An enslaved people, he writes, are those who "incessantly boast about of the peace and quiet they enjoy in their chains, and that *they call the most miserable servitude peace.*" [408]Rousseau further qualifies this remark in one of the fragments from his *Corsica*. Here he specifically refers to 'tranquillity' as an attribute of the "servitude" which has been imposed on the Corsican people by their *nobility,* and as an evil *distinct* from the "ills" imposed on them by the external tyrannies of Pisa and Genoa; "From where do the dissentions, quarrels, civil wars come in Corsica that have torn it apart

[407] Rousseau 'Discourse on the Arts and Sciences', 1997, p6
[408] Rousseau 'Discourse on Inequality' 1997, p177

for so many years and finally forced it to have recourse to the Pisans, then to the Genoese? Isn't all that the work of its nobility, isn't it the nobility who reduced the people to despair and forced it to prefer a *tranquil slavery* to the ills that it was suffering under so many tyrants." [409]Not only is Rousseau suggesting that the 'tranquillity' promoted by the arts is an indicator of servitude, but moreover, that it is principally the nobility and the elites that actively encourage its enjoyment. As we have seen, Rousseau indicts the *philosophe's* of the doux commerce, the *artists* who are merely in the service of princes and their courtiers in their promoting a rebarbative public morals in order to gain the favour of the rich, and the *politicians* who only speak only of wealth and never of virtue, these groups "spread garlands of flowers over iron chains" so as to "throttle in the people the sentiment of original freedom for which they seemed born and make them love their slavery".[410] This has the effect of encouraging peace and repose in "nurturing in [the people] that pettiness of the soul so suited to servitude."[411].Rousseau, is principally attacking the notion that an educated and cultured class can be trusted to govern in the interests of the people. In the fragment *On Wealth and Taste* he writes; "Those who guide us are the artists, the grandees, the rich; and what guides them is their vanity…They might be the best of men; by that alone they would become the most corrupt." [412] This thought correlates to the remark[413] that children should "not brought up delicately" and so should not "made into gentlemen", but rather into "peasants or workers". We have already seen the inflammation of *amour propre* by excessive wealth makes it highly unlikely, so Rousseau believes, that the rich will be able to know the common

[409] Rousseau 'Plan for Corsica' in Christopher Kelly and Judith Bush (trans and ed) *The Plan for Perpetual Peace, On the Government of Poland, and Other Writings on History and Politics* University Press of New England,2005, pp168

[410] Rousseau 'Discourse on the Arts and Sciences' 1997, p6

[411] Rousseau 'Discourse on the Arts and Sciences' 1997, p7

[412] Rousseau 'Fragment of Wealth and Taste' in Christopher Kelly and Judith Bush (trans and ed) *The Plan for Perpetual Peace, On the Government of Poland, and Other Writings on History and Politics* University Press of New England,2005, p.17

[413] Rousseau 'Letter to Francueil 'in Christopher Kelly (trans) Christopher Kelly, Roger Masters and Peter Stillman (eds)*The Confessions and Correspondence, Including the Letters to Malesherbes* University Press of New England, 1998, p552

good, and so he has also argued, that flourishing of social goods such as praise and esteem as a measure of social status, means that artists and the philosophers have become dependent on the rich, in their pursuit of patronage and for the resources required to provide for the leisure time they need in order to compete with one another in the pursuit of social status. Lastly, we have seen how the politicians are dependent on currying the favour of the wealthy in order that they may be able to buy the votes required in the pursuit of ever greater power, in return tailoring policy to their advantage. Underpinning all of this is *amour propre*, or the desire for *ever greater* social standing measured in terms of wealth and political leverage for the rich, the power to command for the politicians, and public praise and esteem for the artists. Now, Rousseau traces the inflammation of *amour propre* to a particular kind of educational design, arguing that, it is because of and not despite, their education, their *paedia*, that these groups cannot know better than the people where the common good lies. In the *Emile,* Rousseau breaks totally from the Greek and Roman forms of education we briefly considered above. This is because in his view it is precisely the inequality promoted by a liberal arts education that leads to a failure to achieve the kind of knowledge conducive to the common good, "An exclusive education" he writes, is principally "an education whose only goal is to distinguish those who receive it from the people… always gives the preference to the more costly forms of training over the more common, and consequently, the more useful ones."[414] Thus liberal or 'exclusive' education does not produce knowledge at all, but rather, a kind of pseudo-knowledge premised on the pursuit of social advantage. Hence we can now understand why, in the *Corsica* he should write that it is not the man of learning and culture but rather the agricultural worker who acquires for himself the necessary talents for governing through ploughing the field.[415] Relating this back to the First Discourse, Rousseau agrees with Machiavelli's remark that; "the strength of well-armed spirits cannot be corrupted by a more

[414] Rousseau *Emile: or On Education*, Alan Bloom (trans) Basic Books, 1979, pp.131-132,
[415] Rousseau 'Plan for Corsica' 2005, p156

honourable leisure [*ozio*] than that of letters, nor can leisure enter into well-instituted cities with a greater and more *dangerous deceit* than this one. This was best understood by Cato [the Censor] when the philosophers Diogenes and Carneades, sent by Athens as spokesmen to the Senate, came to Rome. When he saw how the Roman youth was beginning to follow them about with admiration, and since he recognized the evil that could result to his fatherland from this honourable leisure, he saw to it that no philosopher could be accepted into Rome. Thus, provinces come by these means to ruin."[416] Following Machiavelli, Rousseau praises Cato's fortitude in "inveigh[ing] against those artful and subtle Greeks who *seduced* virtue and enervated the courage of his fellow-citizens"[417]. Indeed, Rousseau's inveighing against a kind of *deceitful*, or as he put is *seductive* knowledge which propagated by and is the privilege of the educated and cultured few, should itself be understood in relief to his support for a conception of learning by doing[418] hence Rousseau identifies participation in political affairs and contestation of unjust laws and policy itself, and not exclusive learning, cultivates one's capacity for political judgement. But precisely as we have seen this is exactly what is being denied to the people where the love of the arts distracts from contestation and wealth excludes one from participation. The 'exclusive' forms of education, with their uncommon honours and privileges, serve only to strengthen the unity of the powerful private interests against the people, in their pursuit and enjoyment of (un)common distinctions whilst at the same time encouraging a competition within that class in the pursuit of *ever greater* distinction.[419] Thus Rousseau reverses the Aristotelean-Ciceronian argument that one's

[416] Niccolo Machiavelli *The Florentine Histories* Laura Banfield and Harvey Mansfield Jr. (trans) Princeton University Press, 1990, p185.
[417] Rousseau 'Discourse on the Arts and Sciences' 1997, p13
[418]Carole Pateman, *Participation and Democratic Theory* Cambridge: Cambridge University Press , 1970, pp.24-25
[419] See Rousseau 'Tenth Letter' in Christopher Kelly and Judith Bush (trans) Christopher Kelly and Eve Grace (eds) *Letter to Beaumont, Letters Written from the Mountain, and Related Writing* University Press of New England, 2001, where Rousseau writes: "the alliance of the strong [read, the wealthy] is a natural one, and what makes for the weakness of the weak [read, the not-wealthy] is that they cannot come together in this way".

enjoyment of particular kind of education should be the attribute which marks one out for rule, instead he claims that education in the liberal arts assists, not in cultivating communication, prudence or the attachment to ideas of relational egalitarian justice, but rather produce a disposition conducive to "robbing and betraying one another in order to gratify their self-indulgence or their ambition", and to feeding "their idleness with the sweat, the blood and toil of a million wretches".[420] Viewed in this light we can begin to appreciate just how far Rousseau's disagreement with the Ciceronian republican tradition goes. For Rousseau, contra Cicero, virtue is the science of "simple souls" and not of learned, aristocratic gentlemen. To this effect he writes that Rome was first corrupted when it became "filed up with Philosophers and Orators". Moreover he wholeheartedly condemns the eloquence that Cicero so prized amongst the senatorial class as "frivolous" indeed, nothing more than "the object of study and the delight of futile men". [421]

4.4 Culture, elites and public opinion.

Rousseau's criticism of the elites in their distortion of public opinion can perhaps be best viewed in consideration of his mischievous inversion and misquotation of Plato's *Apology*[422]. Recall that the *Apology*, in effect, stages a criticism by an ordinary citizen, Socrates, of the Athenian democracy. More precisely, Socrates attempts an aristocratic indictment of the democracy premised specifically on his questioning of its key institutional feature; the wisdom of the multitude. He interrogates each of his fellow citizen-jurists; Meletus the poet, Anytus the artisan-tanner, and Lycon the orator, arguing to the effect that they, just as he, each lack the wisdom required for the various specialist tasks of law-making, application and enforcement. As Josiah Ober writes, "Socrates asks the jurors to learn by individual

[420] Rousseau 'Discourse on the Arts and Sciences', 1997, p72
[421] Rousseau 'Discourse on the Arts and Sciences', 1997, p14
[422] Plato Apology in *Euthypho, Apology, Crito, Phaedro, Phaedrus* Harold North Fowler (trans)Loeb Classical Edition 1914.

investigation that the general opinion of the mass of citizens (*hoi polloi*) was false."[423] Athens depended on the contribution of each citizen's particular knowledge to the knowledge of the whole, in order to enrich the collective judgement on the common good, so that, by asking each of his citizen-jurists to reflect on his own individual lack of knowledge, Socrates' contention is that if each of the parts, or the people severally, are equally ignorant, then it must follow that the whole, or the people taken collectively, is ignorant. And it is they (the democrats) and not he, who should be held responsible for corrupting the youth by promoting this form of collective ignorance. Rousseau turns Socrates indictment around to have him (or, rather, to have Socrates speak in the voice of the republican *citoyen*) accuse the elites of propagating a pseudo-knowledge, in that they think they know where virtue and the common good lies where they, in fact, do not. As Clifford Orwin writes, Rousseau's use of Socrates is, in effect deployed in order to "eulogize ignorance," in relief to the pseudo-knowledge of elites, and insodoing to defend popular opinion "against all pretense to knowledge superior to it."[424]. As Orwin continues, "Rousseau's Socrates…blames only the learned and the artists [for this pseudo-knowledge] avoiding criticism of the people and those vested with its authority."[425] Indeed Rousseau praises Socrates' for his 'wise' and 'learned' ignorance just as he praises the agricultural worker for learning about government in ploughing his field. He thus assimilates Socrates to his own persona in the *Discourse*: a good citizen who knows nothing of what the rich and learned know, and who should not be thought of as better or worse for that. Transposed from the context of the 'enthusiastic amateurs' of the ancient egalitarian democracy, to that of monarchical France in the sway of enlightenment, with its specialist learned classes of knowledge producers and taste makers so eloquently defended in the works *philosophes*, Rousseau consistently and fervently condemns the corruption of the

[423] Josiah Ober *Political Dissent in Democratic Athens: Intellectual Critics of Popular Rule* Princeton University Press, 2002, 169
[424] Clifford Orwin 'Rousseau's Socratism' *Journal of Politics*, 60,1, 1998, p.179
[425] Orwin, 1998, p.178

'grandees', or 'the great' ('*les grandes'*) whilst at the same time, never condemning the people (*les peuple*). In a later reflection on the composition of the *Discourse* he surely makes plain a sentiment which he takes care to hide in the published work itself:

I have a violent aversion for the social stations that dominate the others… I hate the great [*les grands*], I hate their status, their harshness, their prejudices, their pettiness, and all their vices, and I would hate them even more if I despised them less.[426]

Les grandes; the "politicians" the "the philosophes" and "artists"; all those he describes as the "heaps of idlers paid by the fat of the people to go six times a week to chatter in an academy"[427] have corrupted public opinion and public morals on the basis of their own 'prejudices' and 'vices', a thought which prefigures the remark in *the Social Contract* that "any man can carve tablets of stone, or bribe an oracle, train a bird to whisper in his ear, or discover some vulgar means imposing himself on the people"[428]and the sham social contract in the *Second Discourse*, where the rich use their greater rhetorical flair to manipulate the disunited poor into acceding to their rule. Again he seeks to rubbish the idea that these groups have a claim to wisdom which is naturally more conducive to the common good and of which could be used to advance their claims to rule. Rousseau argues that "the common good is everywhere clearly apparent, and only good sense is needed to perceive it",[429] this "good sense," not only resides in everyone, since "our will is always for our own good," and where, "our own good" is the common good, but no one is naturally better or more capable of knowing it than anyone else. Again in the *Corsica* he writes that "Good sense is enough to lead to a well constituted state, and good sense is elaborated as much in the heart as in the

[426] Rousseau, 'Letter to Malesherbes' in Christopher Kelly (ed) *On Philosophy, Morality, and Religion* University Press of New England 2007, p160
[427] Rousseau, 2007, p158.
[428] Rousseau 'The Social Contract' 1997b,p.71
[429] Rousseau 'The Social Contract' 1997b,p121

head." [430]However we must now note that contra Phillip Pettit's[431] attempts to make Rousseau give ringing endorsements of the Hobbesian idea that the people (or the majority of the people) are never wrong, Rousseau everywhere admits that "taking men as they are" means that the people do err. In arguing that the people can be mistaken, Rousseau also does not believe that mere "good sense" *invariably* leads to a correct judgement on the common good. Pettit ignores the implications of Rousseau's broader institutional design, and the role played by 'experts', where, when functioning well, and when certain preconditions with regards to equality of status, sumptuary laws and limits on wealth have been properly implemented so as to keep corruption at a minimum, the people are able to draw on the 'wisdom' of those in the executive on various technical matters, such that the popular assembly and the elected executive work in concert to make and apply legislation. Indeed, aside from its principle duty to carrying out the instructions of the popular assembly, the executive is tasked with reviewing and rectifying legislation to be presented to the people for their final approval.[432] However, on the other hand, and contra those who would wish to recruit the Genevan as an elite democrat,[433] the claim that the people can be wrong is not evidence of some natural or intrinsic imprudence, or of their various, and perhaps profound, epistemic deficits, but rather, and more often than not, because their judgment has been distorted. Indeed, further evidence of Rousseau's basic belief in the basic epistemic competence of the people can be found in the second of the *Letters from the Mountain*. Rousseau writes of the Reformation, that its founding principle was "that the meaning of Bible was intelligible and clear to all men…each was a competent judge of doctrine and could interpret the Bible…all acknowledged each of them [in the protestant congregation] as

[430] Rousseau 'Plan for Corsica' 2002, 156
[431] Phillip Pettit, 'Two Republican Traditions' in Andreas Niederberger & Philipp Schink (eds.), *Republican Democracy: Liberty, Law and Politics*. Edinburgh University Press, 2013
[432] See Ethan Putterman *Rousseau, Law and the Sovereignty of the People* Cambridge University Press 2010, see especially ch.4
[433] See Richard Fralin *Rousseau and Representation: A Study of the Development of His Concept of Political Institutions*, Columbia University Press, 1978.

competent judge for himself. They tolerated and they ought to tolerate all interpretations except one, namely that which removes liberty of interpretation…. Each remains the sole judge of them for himself, and does not acknowledge any authority in them other than his own."[434]This is not to claim that Rousseau does not believe that elective aristocracy is a necessary evil, he clearly does. Instead as I read him, in the modern republic, the people will have to be able to draw on technical knowledge in order to discover the general will, hence elites are worth having so as to provide the people with that specialist knowledge. But he does believe that elected elites are *an evil,* since, as we have seen, it is from them that all corruption of the republic begins. Hence, the first two Discourse's pre-empt the fundamental claim in the Social Contract that "that people is *never corrupted*, but it is often *deceived*, and on such occasions only does it seem to will what is bad." To be sure, Rousseau is despairing of the levels of manipulation that the people suffer when asked to put their trust in learned and cultured gentlemen, since it is his belief that "Everywhere the rich are the first corrupted". If the people require "adequate information" on political affairs in order to discover the general will, then this depends on information not being distorted by opinion leaders, and moreover it requires that the people not be excluded from those structures of information themselves.[435] Indeed if Rousseau writes that popular judgment is sometimes imprudent or vicious, then this does not, as elite democrats suppose, give lie to Rousseau's endorsement after all, of the need to impress upon the people the tastes, the artistic temperaments or the love of culture by those men of virtue. Rather, the corruption of public opinion "*never happens*," he writes, "unless the people is seduced by private interests which some few skilful men succeed by their reputation and eloquence to substitute for the people's

[434] Rousseau 'Second Letter' in *Letter to Beaumont, Letters Written from the Mountain, and Related Writing* University Press of New England, 2001, p154.
[435] For an interesting article in this regard see Udit Bhatia 'Deliberative Democracy and Illiteracy: Exploring a Theoretical Gap' *Journal of Public Deliberation*, Vol. 9, 2013,

own interest."[436] It is from his skepticism of the capacity to properly constrain the vaulting ambition of rich precisely because the rich hold the tools of forming and shaping public opinion, that Rousseau's pessimism regarding democratic republics flows.

We have seen from the discussion in this chapter that in order for a free democratic republic of equals to flourish, citizens must be disposed to seek-out and to guard against, the influence of powerful private interests which distort the process of discovery of the common good or general will, in the manipulation of opinion and setting the standard for what ought to be esteemed. Citizens must therefore by disposed to practice contestation. Let one not be disposed to contest unjust laws and unequal relations of power, so Rousseau's argues, and one will be responsible for that same injustice and one's own political exclusion. However, as we have seen, Rousseau thinks that this is in part a structural problem not simply down to laziness or free-riding. Rather it is one which itself has its root in the promotion of the arts in society, where the arts are the product of wealth and patronage, of exclusive forms of liberal education, and of the broader pursuit of status inequality. Rousseau encourages then us to view artists, those who are supposed to guide the people in shaping and forming opinion and morals, not as educated, refined and excellent individuals, but rather as seducers and manipulators of public taste and information. Finally then, the arts are held responsible for communicating distorted public opinion, of which favours the private interests on which the arts themselves depend upon for their continued existence, and of promoting a public morals unconducive to equal freedom by encouraging us to rank peace and repose higher than equal freedom. In the following chapters we will be asking whether the design of public culture and the arts may be construed in such a way that their influence may be re-directed towards the success of the democratic polity.

[436] Rousseau 'Political Economy' , 1997b, p8 ,emphasis mine.

5.

Are Their Egalitarian Reasons to Aid Artists?

6.1

There are many reasons why we should support the arts, some of which arise from the value of the arts themselves, yet others arise from values independent values which the arts play an important role in promoting. For example, some writers favour support for the arts because the arts help to promote other important non-instrumental goods, in particular, goods associated with democratic citizenship.[437] One prominent proponet of the latter view is Martha Nussbaum. Nussbaum argues that promoting the arts and the cultivation of aesthetic appreciation assists in the development of a moral disposition[438] and a sense of justice.[439]Support for the arts she argues, fosters;

[T]he ability to think critically; the ability to transcend local loyalties and to approach world problems as a "citizen of the world"; and, finally, the ability to imagine sympathetically the predicament of another person [440]

Chris Bertram has forcefully challenged claims of this kind,[441] arguing that it is stretching what can plausibly be claimed on behalf of the arts to suggest that aesthetic appreciation, and more broadly the cultivation of good taste, is in any sense a necessary requirement in order that one could have moral beliefs, or, that one could be a good citizen. I agree with Bertram on this point. I think Kant's rather more humble claim is broadly correct. As we saw in Chapter 4, Kant argues that cultivating one's aesthetic appreciation and judgement may

[437] Martha Nussbaum 2010, Amy Gutmann 1999..
[438] Nussbaum 2010,p.7
[439] See also Elane Scarry *On Beauty and Being Just.* Princeton University Press 2001
[440] Nussbaum 2010, 7
[441] Chris Bertram 'Defending the Humanities in a Liberal Society' in Harry Brighouse, Michael McPherson (eds) *The Aims of Higher Education: Problems of Morality and Justice* University of Chicago Press, 2015 pp38-39

assist, but is not in any way a requirement for, the development of a moral disposition.[442]Secondly, as Bertram pursuasively argues, from a democratic perspective, there is a decidely unattractive implication to Nussbaum's argument. Indeed, she comes very close to implying that those of citizens who lack instruction in the arts will also lack the moral qualities required for them to function as full members of a democratic society. If Nussbaum is correct that the vast majority of the population do not enjoy sufficient exposure to the arts, and if the arts are a necessary requirement for democratic competance, then along with Bertram, I do not see how she could avoid the conclusion that such people are not competent democratic citizens.

Even if we do not accept Nussbaums argument, there are other moral ideals which we might appeal to in looking for reasons for why we should help struggling artists and which have nothing to do with the value of the arts, or with whether assisting struggling artists would help promote other important non-arts goods. For example if some artists are very badly off then perhaps there will be prioritarian, or, maximin-type, reasons, which would favour assisting artists, but in this case, there will be reasons do so only and because artists are badly off, and not because artists themselves deserve any sort of special assistance, or, indeed, because the arts ought to be promoted. There are also important procedural reasons *against* support for the arts, which, due to Rawls, draw on the idea of a reasonable rejectiblity requirement on state action. Rawls' 'Liberal Principle of Legitimacy' says (roughly) that a policy or a decision to use coercion or force is legitimate (it is permissible to carry it out), only if it is one that no reasonable person could reject.[443]For example it would be impermissible, and hence wrong, for the state to force me to join your football team (because you need an extra player to make up a regular 11) on grounds that football is an intrinsic good which ought to be promoted. Equally, legislators cannot advance arguments that are, for

[442] see Chapter 4 above.
[443] John Rawls *Political Liberalism* Columbia University Press 1993, p124.

example, premised on the truth of the Anglican doctrine since many citizens do not accept and cannot be shown to have reason to accept such arguments.[444]Since these reasons are not reasons that could be shared by all rational agents, we have reasons to reject a policy of support for the arts that are based on arguments regarding their inherently greater value or importance.[445]

Undoubtedly the most powerful reasons in support for the arts will be perfectionist reasons. The arts are, to be sure, are an important source of perfectionist value[446]. Hence perfectionism does not argue that the arts are intrinsically good and for that reason ought to be promoted, but rather, that engagement with and pursuit of the arts is an constitutive source of human flourishing, and human flourishing ought to be promoted. In the following section I give a brief overview of perfectionism.

6.2. Perfectionism (again)

According to perfectionism intrinsic goodness consists in the maximum possible development (hence; *perfection*-ism) of the capacities which pick out human beings as the kind of thing he or she essentially is[447].Perfectionism says that it is the capacity for rational thought and action that is distinct to the human species.[448] And perfection or excellence consists in the development of this capacity to the highest degree possible.[449] Thomas Hurka, the leading contemporary proponent of perfectionism writes that the ideal concerns what is good *in* a person and should be distinguished from what is good *for* a person "in the sense tied to well-being", hence, as he continues "perfectionism should never be expressed in terms

[444] This example is due to Bertram in his 2015 see p.30.
[445] Cf. Scanlon *What We Owe to Each Other*, Harvard University Press, 1998, pp. 87-95
[446] Hurka 1996, p.160
[447] Hurka 1996, p.17
[448] Hurka 1996 pp.33-34
[449] Hurka, 1996 p56

of well-being.[450] Like equality, perfection is a non-welfarist good, but unlike equality it is a monadic property of persons so would qualify in terms of the framwork set out in chapter 3, as a personal value, in the sense of its being a property *of* persons. Because perfectionism makes assessments about the goodness of or in persons its propert object of concern is not either with *things* which are excellent (e.g. artworks, buildings, mathematical proofs) or with the goodness of a life with regards to the *contents* of that life, in abstraction from the nature of the person whose life it is.[451] It does not ask what sorts of *things* are excellent *for* a life, but how is excellence instantiated by a person within his or her life. Perfectionism holds that the basic components of value are certain suitably externalized dispositional states of persons, namely; justified true beliefs and successfully pursued ends, or; knowledge and achievement.[452]In aquiring justified true beliefs, one exercises, and develops, the essential human capacity for theoretical reason, and successfully achieving a goal exercises or develops the essentially human capacity for theoretical reason. In sucessfully purusing an end, one excercises and develops, the essential human capacity for practical reason. All justified true beliefs, and all successfully pursued ends are said to contribute to the value of a life, and because all lives contain some amount of beliefs and achievements, all lives have some perfectionist value. So what does this doctrine amount to for the value of states of affairs? Well, we can say that for each individual, that each person's level of perfection makes an independent contribution to the goodness of a state of affairs. We can then say that one life, call it life-A will have a higher contributive value to an outcome than another, call it life- B, if A contains a greater number of justified true beliefs and successfully pursued achievements than B. This would imply that the contributive value of each life to the value of an outcome, is proportionate to the level of perfection realized or exemplified by that life.

[450] Hurka 1993 pp.17-18
[451] Hurka 1996, p.96
[452] Hurka, 1996 p43

One can increase one's level of perfection by acquiring a greater number of true beliefs and successfully achievements. However, perfectionists also argue that some beliefs are better to know and some goals better to achieve than others. To refer to Hurka's example, it is better to know the fundamental laws of the universe than it is to know the number of redheads in Beiseker, Alberta[453]. As he explains:

Merely forming a belief or intention requires rationality, and it can require more or less rationality. Humans are distinctively rational, with capacities beyond animals, because they can have and use mental states of a sophisticated kind… We can exploit this fact in characterizing quality. We can say that humans exercise rationality more, and are therefore more rational, when their intentional states are more sophisticated. [W]e can prefer some states that meet these conditions because they have more of our favoured formal properties.[454]

So we can say that one belief *p* will be better than another belief *q* to the extent to which knowing *p* involves a greater degree of rationality than that of knowing *q*. Thus, it is not (only) a question of number of beliefs one has but rather, by *how much* knowing one truth extends one's cognition compared with knowing another truth. The same holds for achievements. So, the basic thought is that beliefs and achievements differ in quality only in terms of the magnitude of rationality associated with them, then perfectionism will satisfy continuity[455]. So one life A, has a higher contributive value to an outcome than another life B, if and only if A is more rational than B. And this might be so despite the fact that B's life contains a greater amount of beliefs and achievements than A. Suppose that there is a continuous scale of excellence along which we can order beliefs and achievements by the relation, "at least as rational as" then quality will increase in line with increases in the amount of rationality involved in the believing and in the pursuing. That is, beliefs and achievements

[453] Hurka, 1996, p.100
[454] Hurka, 1996, pp. 114-15
[455] Hurka, 1996, p.82

get better and better from the point of view of perfectionism, as one moves higher and higher up a continuous scale of rationality. So, I think it can be claimed that, as quality increases so the numbers of lives in which these higher achievements figure gets less and less. This is I think, a plausible assumption, given that the higher the excellence, the more difficult and complex[456] it will be to achieve. And, given differences in talents and abilities, smaller numbers of people will reach these highest heights. Hurka compares the example of a higher achievement of practical rationality; "some large scale political reform", to a lower achievement of practical rationality; "the tying of a shoelace".[457] If perfections differ only in degree and not in kind, then perfectionists must admit that 'shoelace tying' has some degree of perfectionist value. But, given continuity, there must be some amount of 'shoelace-tying's' that would outweigh the value of 'political reform'. Indeed, if we adopt the total outcome view that Hurka recommends as being the most attractive form of perfectionism[458], we would be committed to the view that we would do most good by developing everyone's capacities to some degree, rather than maximally developing the capacities of a minority at the expense of those of the majority. But it then would seem to follow that, ceteris paribus, the best outcome would be the one in which we would bring about the lowest acceptable level of excellence for the greatest number of human beings. Call the 'Minimax Implication'.[459] For example, suppose that one unit of a compartively higher excellence, say a scientific breakthrough, can be outweighed by ten units of slightly lower excellence say, a masterpiece of poetry and in turn, one unit of poetry can be outweighed by ten units of an even lower excellence, say, pop music, then, by transitivity, one unit of science, can be outweighed by one hundred units of pop music. If each step down in quality is accompanied by a proportional increase in the

[456] See Gwen Bradford *Achievement* Oxford University Press 2015 ch.3
[457] Hurka, 1996,p.100 andp.128
[458] Hurka, 1996, p.83
[459] This phrase is due to Alan Carter who raises it against Robin Attfield in his 'Inegalitarian Biocentric Consequentialism, the Minimax Implication and Multidimensional Value Theory: A Brief Proposal for a New Direction in Environmental Ethics'. *Utilitas* Vol. 17, No. 1, 2005. This section owe's much to Carter's argument.

number of lives capable of achieving that level of excellence, then the best outcome will be the one in which we bring about the lowest level of excellence for the greatest number of people. This result follows if all of the following are true:

(1) Perfectionist value differs in degree not in kind.

(2) Goods can be aggregated across persons to form better goods. (Aggregation)

(3). For every good x, there is a good of lesser weight y, enough of which will outweigh the value of x. (Continuity)

(4.) If A is better than B, and B is better than C, then A is better than C. (Transitivity)[460]

Due to an argument by Ben Saunders[461], perhaps perfectionists could however respond with an argument from diminishing marginal value of excellence. Suppose, for instance, we value the first unit of X (science) at 5, the first unit of Y (poetry) at 3 and the first unit of Z (pop music) at 2, and that each subsequent unit of any excellence is valued half as much as the one before. In this case, three units of Z are valued at 3.5 (i.e. 2 + 1 + 0.5), which outweighs one unit of Y, while three units of Y are valued at 5.25 (i.e. 3 + 1.5 + 0.75), which outweighs one unit of X, but no amount of Z will ever add up to 5, so no amount of Z can ever outweigh one unit of X.

I think there are a number of problems with this response. Firstly it is questionable whether excellence *itself* has diminishing marginal value, rather than say, resources. Many might believe that excellence, if anything has, *increasing* marginal value. Secondly it runs into the problem that Michael Otsuka has argued for:

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[460] The above disscussion is adapted from Dale Dorsey 'Headaches, Lives and Value', Utilitas Vol. 21, No. 1, 2009.

[461] Ben Saunders 'Reinterpreting the Qualitative Hedonism Advanced by J.S. Mill' *The Journal of Value Inquiry,* 45, (2), 2011, pp187-201, see also Ken Binmore & Alex Voorhoeve 'Defending Transitivity Against Zeno's Paradox'. *Philosophy and Public Affairs* 31 (3):2003 pp.272–279, John Broome 'No Argument against the Continuity of Value: Reply to Dorsey' *Utilitas* Vol.22, 4, 2010, pp494-496

there may be a rationale for discounting the value of additional benefits of a given specific type…when *the same person receives this benefit a repeated number of times*, there is no rationale for discounting the value of additional benefits of a given specific type to additional people. It is not as if a given benefit such as a pleasurable sensation is of less value to a person on account of the high number of others who have received this benefit. Hence we cannot claim that the same type of small benefit to infinitely many people may sum to a finite number because of the diminishing marginal utility of benefits to additional people. Rather, these benefits to different people are all of equal utility, and even very small benefits of the same positive value to an infinite number of people will sum to infinity. [462]

If this reply is correct then total outcome perfectionism leads to the Minimax implication, and perfectionism begins to look implausible. However, as Hurka himself has stated: "Think…of Achilles, the loss of his greatest feats could not be made good by any number of successful shoelace-tyings."[463] I agree. Whilst Minimax might not get down as far as shoelace tyings, no perfectionism can be correct that says individuals 'flourish' or are 'most perfect' no matter how meagre their attainments are. As Hurka's above statement implies, the correct perfectionist response to the Minimax implication, might well be to accept some sort of argument for discontinuity in value.[464] This would avoid the Minimax implication since it would enable the perfectionist to reject the sacrifice of quality for quantity under the total outcome view. However, as Hurka elsewhere aruges, accepting discontinuity would entail an objectionably elitist[465] form of perfectionism where higher achievements enjoy a greater weight than lower achievements. Though I cannot argue for it here, I do not see how the perfectionist could deny either of (1)-(4) and reject the Minimax assumption, hence I believe

[462] Michael Otsuka 'Saving lives, moral theory, and the claims of individuals' *Philosophy and Public Affairs* 34 (2), 2006, n.31 p127
[463] Hurka, 1996,p.100
[464] see Hurka's rather non committal response to this issue in Hurka,1996, ch.4
[465] Hurka, 1996, 78

the conclusion to be sound. In order to avoid sacrificing smaller amounts of higher quality excellences for larger amounts of trivial lower quality excellences, I think perfectionists should be prepared to reject continuity in (3).

Stephen Lecce,[466] has however argued that this might be too quick. Suppose that a perfectionist continuum of value runs from, say, 1 at the bottom of the scale to 10 at the top: even if achievements higher up the scale are clearly better than lower ones, the latter are objectively valuable nonetheless, so in lowering the perfectionist bar, and distributing resources accordingly, we ensure that more people lead good lives without actually funding worthless or undesirable goals and activities. Perhaps, as Lecce suggests, perfectionists might just pick a point along the continuum that a large number of people can attain with some help, and make such a point the basis of distributive claims. But, unfortunately I have to agree with Lecce here that this move would be arbitrary and question-begging.[467] Of course its judgments must be weighed alongside other values, but we want to know what would be best from the perspective of perfection, and not, what would be the least objectionable form of perfectionism. Indeed I think that the problem for perfectionism is the one that Thoams Nagel was sensitive to, and, in the end, embraced. That is, in order to promote the 'maximum levels of excellence possible' without loss of quality, Nagel argued, this would require recognizing and exploiting natural inequalities between persons. Firstly, because, he argues, people are unequal in their capacities for excellence, secondly, because excellence is a function not only of natural abilities but also of class, since so much education and culture is transmitted informally through the family, and finally, because the motivation which directs individuals toward higher pursuits is also due to family influence.[468] Thus, perfectionism must recommend that those individuals with greater capacities should be permitted, or, indeed

[466] Lecce, 2005,p132
[467] Lecce 2005 p139
[468] Nagel 1991, 132

might be required, to fare better, than those individuals with lesser capacities.[469]I should not need to point out that this would bring perfectionist claims into conflict with egalitarian claims. But the focus for this chapter is not to attempt to try to weight these two values together, which would require far more independent argument, and of course a plausible weighting scheme. This would take us far from our current topic. However, I hope that the above discussion has canvassed some of the reasons for support for the arts, and has illuminated a little, the import of perfectionism. Let me now turn to egalitarianism. Many people believe that fairness has an important role to play in our thinking about the arts; whether with regard to the questions about the distribution of opportunity, of representation in terms class, or, race, or, gender, and in particular, with respect to questions about artist's comparative incomes, to funding and to government support.

6.3. Equality,responsiblity, desert.

As I have been arguing, egalitarianism is best understood as that part of morality which is concerned with how people fare relative to one another. It is not however the only part. For comparative fairness must be added in order to offer a complete view about how people ought to fare relative to one another. As we saw in previous chapters, egalitarian's are centrally concerned with a comparative relation between people in terms of how well their lives go. If equality concerns comparative fairness and fairness is constitutively connected with ideas of responsibility and thus agency, then things which lack a capacity to be held responsible for their choices and actions, cannot stand in relations of fairness. The possibility of responsibility, and hence the capacity for agency, is thus a necessary and sufficient condition in order that the relation of comparative fairness obtains. Egalitarians therefore do not think that all inequalities matter, neither do think that inequalities between things that are incapable of agency matter. Hence they do not deny that there are inequalities between, say;

[469] Nagel 1991, ibid

insects and mammals or between electrons and protons, but they deny that these inequalities are normatively significant.[470] I begin this section by considering some views about the relation between equality and responsibility. This will be directly relevant to our discussion about the arts and occupational choice generally. Many studies have pointed out that labour markets in the arts, like so many labour markets are characterized in terms of uncertainty, the management of risk[471]and its consequences, and luck.[472] Firstly[473] we need to consider some questions of scope with respect to the kinds of things we can be held responsible for. For instance we can distinguish between 'local' responsibility which might refer to individual choice, to actions and to consequences, or all three. And 'global' responsibility for one's character, and which might only derivatively concern choice and actions. As a desert theorist, Kant is one prominent advocate of this latter view. Simply stated Kant argues that the proper desert-base i.e., the condition of our being deserving of anythin at all, is virtue,[474] and the proper understanding of virtue concerns character, and not or not immediately actions. This is because, for him, virtue is a property of the good will and concerns a general ordering of our dispositions, whereas moral praise or commendation concerns actions, on by one. Actions are not the correct items to which the term 'virtue' can be applied, however actions can be morally praised (or condemned), when they are done from a good (bad, or

[470] See for example Temkin 2003c, pp.147-148.
[471] Pierre Michel Menger, 'Artistic Labor Markets: Contingent Work, Excess Supply and Occupational Risk Management', in Victor A. Ginsburgh and David Throsby (eds) *The Handbook of Economics Art and Culture,* 2006, pp.765–812
[472] Moshe Adler 'Stardom and Talent' in Victor A. Ginsburgh and David Throsby (eds) *The Handbook of Economics Art and Culture,* 2006, pp. 895-906
[473] The "global"'/"local" distinction, is due to Temkin, see his 2011 p.66
[474] However Fred Feldman is one prominent desert theorist who disagrees with this view. See his 'Desert: Reconsideration of Some Received Wisdom' in his *Utilitarianism, Hedonism, and Desert: Essays in Moral Philosophy* Cambridge University Press, 1997, pp.175-193
For important discussions on the massive topic of responsibility more generally see Joel Feinberg,.*Doing and Deserving*. Princeton: Princeton University Press 2007, Harry Frankfurt, 'The Problem of Action' *American Philosophical Quarterly* 15: 1978 pp.157-62. Harry. Frankfurt. 'Freedom of the Will and the Concept of a Person.' *The Journal of Philosophy* 68: pp,5-20., Harry Frankfurt. 'Alternate Possibilities and Moral Responsibility.' *The Journal of Philosophy* 66 1969 pp.829-39., Robert Audi. 'Autonomy, Reason, and Desire' *Pacific Philosophical Quarterly* 721,1991a pp. 247-71, Robert Audi, .'Responsible Action and Virtuous Character.' Ethics 101: 1991b, pp.304-21.

evil) will. And Kant arruges that a will is a good one when and only when it is robustly good, When the will is robustly good, he claims, it is virtuous. I think Kant is broadly correct that virute is the proper desert base, and I believe that he is also correct in requiring this kind of modally robust goodness of the will is a condition of virtue. To give anything like a complete argument for any of these ideas would demand at least one monograph. So let me consider a few examples which might help us to get some of these ideas a little more clear. Suppose that Tim is well off, he earns £200,000 p.a. Frank is not well off, he earns £15,000 p.a. Suppose Tim regularly gives a substantial amount of his earnings away in order to help the needy. Now suppose that Frank has a disposition to help the needy however, due to his low income he earns, he cannot give very much at all away. If we focus only on the choices they actually make, then Tim acts rightly and does more good than Frank. If Tim actually acts well and Frank does not, then Tim is more virtuous then Frank. Thus Tim ought to fare better than Frank. Now suppose, in a nearby possible world in which he is fortunate enough to earn the same amount as Tim, Frank would give the same amount away as Tim actually does. And suppose, in another nearby possible world where Tim actually earns the same amount as Frank, Tim would not give any of his earnings away. Suppose that in the actual world, Tim's disposition to aid only holds because of his particular peer group and workplace, suppose he is a Silicon Valley philanthropist. In nearby possible worlds where he is not working in Silicon Valley but in a call centre like Frank, Tim would not have the disposition. Frank however, despite the fact that, in the actual world he cannot much away, Frank knows what poverty feels like, he has a disposition to aid which is robust over nearby possible worlds.[475]Tim has no such disposition. I think therefore, it would be correct to say that Frank deserves to fare better than Tim. And this is because, while he does more good in the actual

[475] See Phillip Pettit, *The Robust Demands of the Good. Ethics with Attachment, Virtue, and Respect*, Oxford University Press, 2015, for an interesting discussion of modal robustness in relation to various values.

world, Tim in comparison to Frank, is disposed to act well only under favourable circumstances.

This scenario gives us a reason why we should think pace Kant that desert a matter of character in a robust sense, rather than action in a localized sense. For Kant the correct desert-base is virtue, and justice or desert concerns the proportion of virtue to wellbeing.[476]Virtue is a property of one's character and only derivatively of one's actions.[477]Where character refers to a general orientation of the will which guides an agent in her deliberation on how she ought to act. Kant claims that, in order for an action to have moral worth it cannot be sufficient that one does ones duty on some particular occasion(s), or under favourable circumstance. Consider Henry Allison's[478] example of a professor who resists a £1000 bribe to give a passing grade to a student whose work has been unsatisfactory. Clearly in so resisting, the professor has acted rightly. However, we would not, *for that reason alone,* Kant argues, attribute moral worth to his act. It must also be the case that the professor would have acted in the same way had the circumstances been different; for example, if the bribe was £10,000 rather than £1000. Thus, in order to attribute moral worth to an act, Kant argues, we must able to assume that it was non-contingently dutiful. That is, we must be able to reasonably conclude that its performance was not simply a function of contingent circumstances. Thus Kant argues that virtue consists in being disposed to act from duty not just in worlds in which circumstances are favourable to duty, but, (at least) in nearby possible worlds in which circumstances are less than favourable to duty. For example, the professor were disposed to act from duty in many less favourable nearby possible worlds, i.e. worlds in which he is offered greater and greater sums to pass the student, then Kant might suggest, his action in the actual world, i.e., turning down the small offer, would be an expression of an

[476] Kant 'Critique of Practical Reason' 1996, p189, p229,
[477] For an important discussion see Phillip Stratton Lake 'Being Virtuous and the Virtues: Two Aspects of Kant's Doctrine of Virtue' in Monika Betzler (ed.), *Kant's Ethics of Virtues*. Walter de Gruyter & Co, 2008
[478] Allison 2011 p98. My reading of Kant's conception of ''character' is indebted to Allison's 2011.

underlying good character. But it is only on basis of being able to make such an assumption that we can say that the non-contingency claim is satisfied, and his turning down the £1000 bribe has moral worth. This claim of course raises a host of epistemic issues that we cannot hope to resolve here. Now consider the example of the kindly Mafia don.[479]

Suppose there is a mafia don who is generally ruthless to his enemies and to the victims of his crimes, of which there have been many. However, suppose that he is intensely loyal to his family and associates. His loyalty leads him, regularly and often to make great personal sacrifices for them. All of his ill-gotten gains are used to pay for his children's education and to ensure they have a good future, better than the one he grew up in. And moreover, he often acts from great compassion and charity towards his associates in looking out for their interests and he is always first to help in a crisis. Moreover, suppose that one day the police approach him with a deal, they have some information on him which they are certain will lead to a conviction. Either he can go to prison for ten years, or he can go free if he would only inform them of the actions of his associates. Suppose the mafia don, refuses to betray his loyalty to his clan and is more than prepared to go to prison. Would we say that the actions of the mafia don have moral worth? If we agree with Kant we should not say this. This is because the love and loyalty he is regularly disposed to show are an exception to his generally vicious behaviour. As Allison writes, it is as if he decides that "I shall be absolutely ruthless, except when it concerns my associates and close relations". This is hardly indicative of a morally praiseworthy character.

Now, return to the professor example. Suppose that he is offered a series of larger and larger bribes to give the student the passing grade. And suppose bribe gets high enough that he caves in and accepts. Suppose that his poor choice is an exception to his generally good moral character. Along with Kant, I do not think we should say that due to this localized

[479] This example is adapted slightly from Allison, 2011, p.99

choice, he is in any significant sense less virtuous. Kant's point is that virtue cannot simply pertain to 'local' choices and actions. Rather it must be global matter, concerning the general orientation of the will. Accordingly, he notes that agents utterly lacking in a good will might very well perform actions from a sense of duty but these actions are not "from duty" in his robust sense, and therefore are not proper candidates for virtue and the assignment of moral worth. All this is to point in the direction of the claim that if the proper desert-base is virtue then virtue must be concerned with character, or the goodness of a good will, and not with actions.

Equality as comparative fairness is concerned with choice and action in the local sense and, as distinct from desert based views, is that it is not concerned with character. Now, the central egalitarian claim is as follows 'it is bad because unfair that one is worse off than others through no fault or choice of one's own'. We shall need to try to unpick the 'no fault or choice of one's own' clause before we can move forward. Many have thought that clause simply implies a reasonably clean distinction between inequalities that are the result of luck and inequalities that are due to or are the result of free and responsible choices. Then it should follow that, in the absence of responsibility, all inequalities are unfair and objectionable. And conversely, that all inequalities that result from, or are due to, the presence of responsibility are not unfair and not objectionable. Matters are however, considerably more complex.

Beginning with an obvious and prima facie straightforward case concerning inequalities between those who are justly imprisoned and the law abiding population. If the bank robber Edgar is justly imprisoned for his crime and so is worse off than others and this is due to his own free and responsible decision to hold up the bank, then egalitarians should not object to this sort of inequality. So it would seem that if these judgements are correct then inequalities due to free and responsible choice need not be objectionable. However in other cases

egalitarians will want to claim that inequalities that are result from free and responsible choice are unfair and hence *are* objectionable. Suppose for example as Kant and Ross believe; "the great part of duty", as Ross puts it, "consists in an observance of the rights and a furtherance of the interests of others, whatever the cost to ourselves may be" (Ross RG, 16). Let us for the sake of argument simply suppose that, at least sometimes, what we are morally obliged to do will require a cost to ourselves and this cost may not be compensated for. Suppose that A and B are doctors for the NHS. Both have freely and responsibly chosen to doctor for the NHS over a choice of an alternative higher salary in the private healthcare system. They have made this choice because they believe they can do most good by using their talents and abilities to assist the worst off in the public healthcare domain. Now, A and B are worse off than others who, after all are permitted to work in the private sector. Is this a case of unfairness is the inequality here objectionable? I believe that it is even and despite the fact that A and B are worse off due to their own free and responsible choice to decline the higher salary.[480]What is the difference then between the Doctors case and the case of the Bank Robber? How can inequality be unfair in some instances involving free and responsible choice and not unfair in others? I think the case of the bank robber case is a pretty watertight case of unobjectionable inequality, and one would be hard pressed to avoid implausible conclusions should one want to argue otherwise. But surely by our reckoning that both the bank robber *and* the doctors are each worse off than others through their own free choice, so by these lights *neither* deserves aid. However the doctors have simply done what duty requires, they are surely no less deserving than we are, how could it be fair that they end up worse off than others simply for doing what is right at some cost to themselves, and even if this is due to their own free choice. One the other hand, the robber has freely chosen to do

[480] Here I concur with Temkin See his 'Justice, Equality, Fairness, Desert, Rights, Free Will Responsibility, and Luck', in Carl Knight and Zofia Stemplowska (eds) *Responsibility and Distributive Justice* Oxford University Press, 2011

what he knows is wrong. He, if anyone is, is not equally deserving and so has no objection to being worse off through his just imprisonment. Now suppose that the bank robber Edgar goes on the run to Spain, and is never brought to justice. I do not think that egalitarians would object if it were the case that Edgar is only worse off due to brute bad luck, for example due to a tornado striking his hideout in the Costa Del Sol.

Egalitarians argue that we reasons to aid a worse-off individual when and because her situation is unfair relative to others. A situation in which there is a single badly off person in the universe and no one else, could not be comparatively unfair. The 'no fault or choice' clause says that whether our reasons to aid someone who is worse off than others are good ones will depend on pertinent facts of individual responsibility. Radical egalitarians if there are or have ever been such people, claim simply that all inequalities are objectionable, absent any facts about agency and responsibility. They would object, for example, to the prisoner case. They would also object to the doctor case. But they see no morally significant difference between the two cases. This leaves them open to objections from justice and desert. They would also however implausibly have to claim that inequalities between electrons and protons were in some sense morally significant.

6.4. Four 'case studies'

I shall now offer a brief summary of some important findings from the empirical and econometric literature on artist's incomes and earning functions. These findings will provide a partial picture of income inequality in the arts, however they should be useful in guiding us in our normative assessment of when, and in what respect, equality as comparative fairness has implications on policy decisions for the arts. Studies drawing on Census data from many

advanced countries shows a similar picture regarding artists' incomes. Throsby's study[481] and the work of Alper and Wassall[482] in which the authors draw on data from seven United States Censuses provides a reasonably consistent set of findings. Alper and Wassall show, earnings inequality measures for artists has increased over the period 1949–1999. During this period, artists had a consistently lower mean and median incomes compared to workers with similar levels of professional training and education. Their study shows that in 1990, the average income of a full-time artist in the US was 30% lower than that of all other full-time managerial and professional employees, 'a group broadly comparable with artists in term of educational attainment'. Further, these data shows that while artists enjoy a comparable level of education to that of professional and technical workers, when comparing earnings functions for artists and for professional and technical workers for six of the seven census years, Alper and Wassall observe that that returns to education are lower for artists than for workers in these other sectors. This is consistent with the findings of several authors[483] that unlike in other sectors, investment in education does not significantly increase artists incomes. These data has shown a huge increase in numbers of people pursuing careers in the arts since at least the late 1970s. As Menger[484] notes, in France, over the period 1982–1999 the number of artists grew at a rate of 98 percent; in the USA, from 1980 to 2000, the rate of increase was 78 percent. Frank and Cook[485] explain this increase in terms of perverse incentives due to the huge payoffs on offer for the top artists leading to oversupply. Alper and

[481].David Throsby, 'Artists as workers' In: Towse, R., Kahkee, A. (Eds.), *Cultural Economics*. Springer- Verlag, Berlin/Heidelberg, 1992 David Throsby,.'A work-preference model of artist behaviour'. In: Peacock, A., Rizzo, I. (Eds.), *Cultural Economics and Cultural Policies*. Kluwer Academic, Boston, MA, 1994,pp. 69–80. David Throsby and Virginia Hollister, 'Don't Give Up Your Day Job: An Economic Study of Professional Artists in Australia' Sydney: Australia Council.

[482]N.O.Alper and G.H. Wassall.'Artists' Careers and Their Labor Markets' in Victor A. Ginsburgh and David Throsby (eds) *The Handbook of Economics Art and Culture,* 2006, pp. 814-864

[483] see Ruth Towse 'Human Capital and Artists' Labour Markets' in Victor Ginsburgh, and David Throsby (eds) *Handbook of the Economics of the Arts and Culture*, Amsterdam, North Holland Elsevier; 2006,,pp. 865-894) t

[484] Menger, 2006, p.767

[485] Robert Frank and Phillip Cook *Winner Take All: Why Why the Few at the Top Get So Much More Than The Rest of Us* Penguin Books, 1995

Wassall's studies confirm Frank and Cook's thesis that while very few of these people will succeed in artistic careers, due to their relatively high educational levels, they are able transition into other professional and managerial occupations. They debunk the 'mythology' that most people leaving the arts fall into service sector occupations. Finally, drawing on data from US Department of Labor's National Longitudinal Survey of Youth which was begun in 1979, and was designed to follow a sample of young people from high school throughout their working careers up to 2010, it has been possible to compare individual's careers as adults in 2010 with their parents' income in 1979. A recent study[486] has shown that those who ended up in careers in the arts in 2010, tended to come from households earning between $65,000-$69,999 though in keeping with Alper and Wassall results, the majority will be significantly worse off in comparison with their parents. Similar findings were confirmed in a 2015 survey[487] of 2,539 people working in all core areas of the cultural industries which found that 76% of respondents came from families with at least one parent working in a managerial or professional job. And finally a CreateEquity[488] analysis of the 2008 Survey of Public Participation in the Arts via the National Archive of Data on Arts & Culture revealed that professionals in "Arts, design, entertainment, sports, and media occupations" were around 60% more likely than average to have a father who attended at least some college (55.9% vs. 34.5%), and 70% more likely to have a mother who attended college (55.9% vs. 32.6%). As they report, the finding was the most extreme skew of any of 23 occupational categories for mother's education, whereas, for fathers, it's exceeded only by mathematics and computer science occupations.

[486] http://www.npr.org/sections/money/2014/03/18/289013884/who-had-richer-parents-doctors-or-arists (accessed 17 March 2016)
[487] http://www.createlondon.org/panic/survey/ (accessed 4th April 2016)
[488] Shawn Lent, Louise Geraghty, Michael Feldman, Talia Gibas and Ian David Moss *Who Can Afford to be a Starving Artist?* http://createquity.com/2016/06/who-can-afford-to-be-a-starving-artist/ (accessed August 11th 2016)

Now, the first point we should make is that it seems to be apparent from the data that artists in general tend to come from relatively high income households, secondly that they tend to be more advantaged than other workers in terms of levels of education and skills. Their level of education allows them a better set of occupational choices than many workers in other sectors. And finally they are in general worse off than their comparison class of professional and managerial (i.e middle class) workers.

I shall now present four cases which draws on some the data above.

Case 1:

Suppose there are two individuals Alex and Becky, suppose that both are morally decent people and suppose that both have equal opportunities, talents, and initial resources. Suppose that Alex freely and responsibility chooses to pursue a career in the arts, she knows all the risks involved and that she has a tiny chance of success, but despite this she turns down a decent job offer in another sector which she would not have hated. Suppose Becky, could have chosen to pursue a career in the arts but because of the high risks involved chooses instead a more stable occupation. Now suppose that Alex ends up worse off than Becky. Indeed, let us assume that she earns 30% less than Becky. How should egalitarians respond to this situation? Alex's career choice does not make her any less morally deserving than Becky, but should Becky be required to transfer resources to Alex so as to compensate her for her decision to pursue the arts? I do not believe that she should. I think in this case there is no egalitarian complaint that Alex ends up worse off than Becky. And Becky should not be required to pay for Alex's occupational choice.

Case 2:

Now consider Jane. Jane has not had the good luck that Becky and Alex have been fortunate to enjoy. She is from a poor household and due to being born in a deprived area with a lack of decent schools, she has not had the educational opportunities that Becky and Alex have enjoyed. Thus Jane does not have the same opportunities as the more talented Alex and Becky a choice to pursue an arts career is not part of her option set. However, suppose that Jane toils for the same merge income as Alex, and from performing precarious temporary work. Jane hates her job but has no access to capital and she is saving to go to university. She knows that without making the investment in extra skills she will not expand her sphere of occupational choice. Alex on the other hand, loves her job and does not wish to change things but wishes she was earning more than she actually does. However given her talents and abilities, she could choose otherwise. Jane cannot. In this case I believe egalitarian objections are readily apparent. Jane clearly fares worse than either Alex or Becky through no fault or choice of her own. Becky has a requirement to transfer resources to Jane. But as we have said she has no such requirement with respect to Alex. Alex and Jane may be equally badly off in terms of income but Alex has freely and responsibly chosen to be worse off than Becky. Secondly and despite her low income, Alex's job is a constant source of personal flourishing and satisfaction to her, whereas, Jane's work is a source of disvalue to her.

Case 3:

Jim and Rachel are both struggling artists at college together. After college Jim desires to pursue a career in the arts at least in part, because of the increased social status and the vast incomes that are available to the top performers, and perhaps for other self-interested perfectionist reasons, suppose for instance he believes that his work as an artist is particularly important to his flourishing. Rachel however is dedicated to benefiting the worst-off thought her art. After graduating from art college she decides to work as a public artist primarily on local commissions, and her work contributes a great deal in the way of improving the quality

of life of her community. Jim could have chosen this option but declined to. After some years struggling, suppose Jim gets his big break, at his first solo exhibition some multi-millionaire buys up all of his work. Rachel's career is spent working for local councils, she is worse off than Jim. Rachel could have pursed the same career path as Jim, but declined to. Rachel is worse off though her own choice. From the perspective of comparative justice it is unjust that the more virtuous Rachel fares worse than the less virtuous Jim. And from the perspective of comparative fairness the inequality between Jim and Rachel is bad even though Rachel is worse off through her own choice i.e. though declining to pursue fame and fortune. It would be better then, if there were equalizing transfers to Rachel. So in this instance our egalitarian judgements would recommend aiding Rachel.

Case 4:

Now suppose that after a year in sun Jim's source of income, his millionaire art dealer, gets arrested for fraud and Jim left without a patron. Due to no fault or choice of his own Jim is now worse off than Rachel. His earnings have dried up, pure bad luck has left him back where he started, struggling in his studio. Suppose that Jim had chosen to pursue the more virtuous option of working on public projects like Rachel, he would have had a small yet steady income. Comparative fairness would judge that in this case, between unequally deserving people inequality isn't bad, because not unfair. It is not unfair that the less deserving Jim is worse off than the more deserving Rachel even though Jim is worse off through no fault or choice of his own. In this case, there is no egalitarian complaint on the part of Jim, and no egalitarian reasons to see him equalized.

Let us now review these cases, in particular I shall want to return to Cases 1 and 2. In Case 1 we saw that Alex's being worse-off than Becky, was something she could have avoided but

didn't[489] given her choice set. The prudent Becky on the other hand had the same risky option in her choice set but declined to take it. And, we said that there are no egalitarian reasons for Becky to transfer her income to Alex to compensate for her poor occupational choices. In their path-breaking work, Frank and Cook argue that labour markets in the arts can be characterized as what they refer to as "winner-take-all" markets, sometimes referred to as the "superstar" effect[490]. These markets tend to be characterised by an oversupply of competitors, socially scarce employment opportunities[491], and the name suggests, huge rewards for a small few 'top' artists and little or nothing for anyone else. As Alper and Wasell observe their data goes some way to confirming that the winner-take-all effect is a determinate cause of income inequality in the arts. Frank and Cook argue that such markets attract too many contestants in part because of a common tendency for people to overestimate their tiny chances of winning. And this is due to a generalized uncertainty about our own levels of talent and ability. Secondly, as Chung and Cox show[492], in terms of the closely related superstar phenomenon, the very large incomes of superstars are driven more by sheer option luck and less by the kind of luck associated with superior talent. Writing in terms of popular music Chung and Cox argue that luck initially increases popularity and triggers a self-reinforcing bandwagon effect. Adler also describes[493] a situation where the successful artist "the superstar" who emerges from among several artists who are all equally talented. In his model the emergence of the successful artists arises from a pure chance event: consumers select an artist at random when they add a new artist to their consumption basket, and it is simply by pure chance that one of these artists ends up with more patrons than the rest. These discussions are relevant for our

[489] For an illuminating discussion on artists and risk, Menger 2006,
[490] Rosen
[491] See Hirsch 2005, and Brighouse and Smith 'Equality, Priority, and Positional Goods', *Ethics* 116: 2006, pp.471–97
[492] Chung, K. H. and R. A. K. Cox. 'A stochastic model of superstardom: an application of the Yule distribution.' *Review of Economics and Statistics*, 76(4), 1994, pp.771–75. See also Egon Franck and Stephan Nüesch 'Talent and/or Popularity – What Does it Take to Be a Superstar?' Institute for Strategy and Business Economics University of Zurich Working Paper Series ISSN 1660-1157 Working Paper No. 74
[493] Adler, 2006,

egalitarian judgments about arts policy. Egalitarians have long distinguished between what has often been referred to as option luck on the one hand and brute luck on the other[494]. Option luck inequalities are said to be the result of free and responsible choices to pursue risky options which don't come off, and where the presence of responsible choice is said to make these types of inequalities unobjectionable. Brute luck inequalities, on the other hand refer to all and only those inequalities that are necessarily unchosen e.g., one's being born with a certain set of native talents or lack thereof, one's health, genetic variations, unavoidable accidents and choices made for you on the part of others that you yourself could not possibly have avoided, for example the quality of your upbringing, your place of birth, and the class and social status into which you were born. Typically egalitarians have taken the view that such brute-luck inequalities as objectionable. There are however two ways of specifying risk associated with option luck[495]. There are more or less, imprudent and more or less prudent risks, where risks can be assessed as belonging to one or the other category on the basis of the chances of winning or losing, and the value of what may be won or lost. A risk will be prudent if the probability of winning is high and imprudent if the chances of winning is low. It may also be imprudent to neglect to take an opportunity when the chances of winning are high. But we need also to take into account the value of the goal to be achieved, as well as the value of the goal forfeited, and, the costs incurred by not acting. An example of a prudent risk is getting on an aeroplane. Each time one steps onto a plane one takes a relatively low risk, but gains in comfort and reduced journey time compared to taking other means of transport. The decision to pursue a career in the arts, as Frank and Cook suggest, is an imprudent risk, where the probability of success is very small with a large

[494] Dworkin, 2002. For an important critique of the distinction, see Kasper Lippert-Rasmussen's 'Egalitarianism, Option Luck, and Responsibility' *Ethics* 111, 2001, pp. 548-579.

[495] Here I follow Sztompka's discussion in his Piotr Sztompka *Trust:A Sociological Theory* Cambridge University Press, pp.32-34

penalty for failure[496],but where the value what one might win is extremely high. And in comparison with alternative options in an artist's occupational choice set, the value of an artistic career may eclipse the value of more productive employment in other sectors. Now, winner-take-all markets are dominated by brute luck involved in differences in arittic talent and ability. However as Frank and Cook note[497] winthe kind of luck associated with option luck such as who you know are also important determinates for success. If this is the case, then, surely these are factors beyond one's control. All this is to say one cannot adequately judge the risk associated with artistic careers then one cannot know how well one is likely to fare in advance of choosing the artistic career option. If one doesn't know one's own talents or the talents of one's competitors, and if one cannot account for uncontrollable factors, such as social capital and networking opportunities are required for success. Though I think it is still the case that in general one chooses the artistic career option in the knowledge the choice is the less prudent among one's choice set.

To return to case three of Alex and Becky whilst it need not be bad because not unfair that imprudent Alex ends up worse off than prudent Becky due to bad option luck on an freely chosen imprudent risk. And while it would be bad because unfair if prudent Becky was to end up worse off than Alex through bad option luck on a prudent risk. Suppose we now modify case three.

Case 1*:

Suppose that Alex and Becky both make the choice to pursue a career in the arts. And suppose again they take this imprudent risk freely and responsibly in the knowledge that the labour market in the arts is dominated by uncertainty. I think there *is* an egalitarian complaint if it is the case that Alex ends up better off than Becky. I think that it must be unfair if Alex

[496] See Alper and Wassell 2006, on earnings penalties in the arts.
[497] Frank and Cook 1995

enjoys vastly greater good option luck *despite* the imprudent risk, if both Alex and Becky have made similar choices.[498] In the case of winner-take-all markets it seems impossible to separate brute from option luck, since, firstly success is highly dependent on the brute good luck of having some marginally superior talents than another, and secondly it would seem that success is equally dependent on good option luck i.e., favourable external factors that are beyond one's control. This indicates that whilst I think it is not unfair that artists who are responsible for having chosen imprudently are worse off than others in their comparison group of professional and managerial workers, I do think that artists cannot be responsible for their being better or worse off *than other artists* who, by implication have made similar choices. So to sum up I think that inequalities within the arts are bad because they are unfair since they are reflective of a mixture of small differences in brute luck, in the form of natural talents and vast differences in option luck. But in general we need not have an egalitarian reason to compensate worse-off artists over, or instead of worse-off workers in other sectors.

Case 2 illustrates this point. In the example of the inequality between Jane on the one hand and Becky and Alex on the other, egalitarians should have a reasonably clear-eyed view, judging that it is bad because it is unfair that Becky is better off than Jane due to good brute luck, i.e. Alex and Becky more advantaged family circumstances, and their having greater talents and education than she. Alex and Jane are equally badly off, but it would be incorrect to judge that the inequality between Alex and Becky is unfair, and this implies that it would be incorrect to judge that same inequality as equally unfair as the inequality between Jane and Becky. The inequality between Becky and Alex is not unfair since Alex is worse off due to her own choice whereas Jane is not. Egalitarians should judge that Jane ought to be assisted not that Alex or Alex and Jane ought to be assisted. Let me illustrate further by drawing on Sen's example of the distinction between the starving child and the fasting monk: suppose the

[498] Temkin 2011.

monk and the child are both have the same level welfare, they are both, severely undernourished, at welfare level 1. We have to distribute some welfare to one of the two. It would be implausible to aid monk since he has freely and responsibly chosen to fast whilst the child is starving due to no fault or choice of her own. We have egalitarian reasons to assist the child.

In conclusion. We have argued that egalitarian reasons for or against the arts must be carefully weighed together with perfectionist reasons, and with non-egalitarian and non-perfectionist reasons if we are to arrive at an all things considered judgement of what we ought to do with regards support. There is little doubt from the empirical literature we have canvassed that most artists fare very badly and worse off than others in their comparison class and that this is mainly due to luck. I believe that there will be prioritarian reasons to aid the worst-off artists though not because of any special concern for the arts but because these individuals are among the worst off. I have less faith in their being conclusive egalitarian reasons for our so doing. Finally with respect to perfectionism, as I have argued, I do not think that this value holds out much hope for aiding the poorest, and, least excellent in the arts.

Conclusion

The aims of this dissertation, as I set them out in my introductory chapter, are as follows. As I state my first objective is to provide an answer to two pressing problems within egalitarian moral thought. These problems are the so-called levelling-down objection, and, the problem of the value of equality *qua* comparative relation between people. Answering these problems takes up the work of Chapter's 1-2. The second objective, is to apply some of this thought to the question of culture and the arts. More specifically, the aim is to try to answer the question of whether there are *egalitarian reasons* to support the arts. Now, I also argue in my introduction, we need to provide an answer to the first two problems, in order to achieve our first objective, otherwise equality itself might not matter, and so, by implication, egalitarian reasons to favour or disfavour support for the arts would not matter. I next suggest that in order to move from my first to my second objective, we require a framework for understanding why culture and the arts might matter. Otherwise, if the arts did not matter we would run the risk of triviality or vacuity. It would do just as well to ask whether there are egalitarian reasons for or against shoelace tying, or, grass counting. I also point out that while it is easy to find applied studies in contemporary egalitarian thought (for example, in the domains of healthcare and education) egalitarianism has not yet engaged with the question of culture. This, I suggest, is due to some of the reasons just mentioned, viz., that it is still a seemingly contested claim in contemporary analytic moral philosophy that culture and the arts *are* a matter of moral concern, and therefore, even among those who accept that culture is of moral concern, it is contested as to *how much* concern we ought to give it. The former point can be traced back at least to Rawls treatment of culture and the arts in his *Theory of Justice*. Recall that Rawls states that culture and the arts contribute, neither directly nor indirectly, to the social conditions that secure the equal liberties nor to the advancement, in an

appropriate, of way the long-term interests of the least advantaged.[499] But just because culture and the arts do not matter for these reasons surely does not mean that they do not matter *at all*. I argue that it is plausible to claim that the arts and culture *do* matter and they matter because they are, in some sense, an important source of perfection, understood in terms of the development of the essential human capacities for reason. But, as I next note, just what this might consist in has not been made at all clear in the contemporary literature on perfectionism. I argue that Kant, in the *Critique of the Power of Judgement* offers a comprehensive discussion of the importance of culture and the arts in terms of the development of the rational capacities. And that by returning to Kant, we would be able learn a great deal about why the arts and culture should be a matter of moral concern. My introduction then moves on to ask, why should *egalitarians* be concerned with the question of culture and the arts? Well, if we have reasons for believing that culture and the arts matter in the first place, we will be one step closer to answering that question. So, to put it in slogan form: *egalitarians should be concerned about culture and the arts because the arts are an important source of rational development*. And rational development sometimes comes at the cost of increased inequality. Strangely this last point has not been explored by egalitarians. However I note that one important forebear of contemporary egalitarianism, Jean-Jacques Rousseau, grasped just this point back in 1751, in his *First Discourse on the Arts and Sciences.* And as I suggest Rousseau offers crucial assistance in providing the basis of an egalitarian framework, one which could significantly aid our thought on the connection between inequality and the promotion of cultural and artistic excellence. In my Chapter 5, I attempt to pick up on some of these thoughts in the consideration of the question of whether there are egalitarian reasons to aid artists. That was the basic methodological framework of this dissertation. Let me now review the results.

[499] John Rawls, 1999 p.292.

Chapter 1

In Chapter 1, we stated that egalitarians believe that an outcome is made in better, in one respect, if inequality is reduced or eliminated, even if this does not involve making the worse off better off, but only involves bringing the better off down to the level of worse off.

Non-egalitarians argue that, in *no* respect is an outcome made better by levelling-down some and in *no* respect is an outcome worsened merely by raising-up some.[500] If levelling down would undeniably decrease inequality, nevertheless it would render no one better off and since raising up would undeniably increase inequality it would only make some better off; equality then cannot improve an outcome in *any* respect so egalitarianism must be rejected. We then saw that the rejection of egalitarianism rested on the truth of a principle which Larry Temkin[501] dubbed 'the Slogan'.

The Slogan: One situation *cannot* be worse (or better) than another *in any respect* if there is *no one* for whom it *is* worse (or better).[502]

The Slogan is obviously strong enough to support the objection to levelling down. To see how, suppose there is an outcome where x=(10), y=(20) now suppose that we simply remove (10) units from y and throw them away, so x=(10), y=(10); the Slogan says the new outcome is not better in *any* respect. Egalitarians claim that the new outcome is better in *one* respect i.e. that it is better with respect to equality. But the Slogan denies this claim. It says that the new outcome is simply worse for some and better for no one, and because it is better for *no one* it cannot be better *in any* respect. Therefore equality cannot be a value that renders an outcome in even one respect better than another, thus, egalitarianism should be rejected.

[500] See for example Parfit 2000, Temkin, 1993 ch. 9, Nils Holtug *Persons, Interests and Justice* Oxford University Press, 2010, chpt.7.
[501] See Temkin 1993, ch.9 and 2000.
[502] Temkin 1993, pp.248

We saw that one major stumbling block to establishing the truth of the Slogan was that it ran afoul of the non-identity problem. That is, the Slogan expresses a *Narrow* Person-Affecting view of outcome value, where the goodness of outcomes is dependent solely on how particular people - or, particular groups of people - are *affected* for better or worse in those outcomes. The aim is for each person who does exist, or has existed, or will exist, should fare as well as possible. It was objected, due to Broome,[503] Parfit,[504] and Temkin[505], that, as an example of a Narrow person-affecting principle, the Slogan has deeply implausible implications in cases which involve people whose existence is contingent on our choices.[506] We then showed that the Slogan could be revised to deal with problematic non-identity cases. Nils Holtug[507] offered a convincing example of how this might be done. Holtug's Wide Person-Affecting restriction is able to avoid the non-identity problem since, in contrast to the Slogan, it is not limited to a concern with how *particular* people fare for better or worse in one outcome relative to how those *same people* might fare in any alternative outcomes. Rather it expresses a concern with how *people* fare for better or worse in different outcome and where the aim is to see to it that whichever people will exist, that those people are as well off as possible. I pointed out that Holtug's Revised Slogan (RS), is successful in answering to the Non-Identity problem, and so the egalitarian cannot use such cases to undermine its truth. As we saw on p27, RS is also strong enough to motivate the objection to levelling down. On pp.28-42 we assessed a moderate egalitarian position. On this view 'equality' was not a value as such, but a factor which adjusts an intrinsic value up or down. We referred to this view as 'comparative', or, 'relative' prioritarianism and, as we saw, the aim here was the same as absolute, or non-comparative prioritarianism, that is, to maximize the sum total of priority weighted utility, with the welfare of the worst off having the greatest weight. However, as the

[503] Broome,1995, ch.10
[504] Parfit, 1984, ch.16
[505] Temkin 1993, 2000.
[506] Parfit 1984,
[507] Holtug's formulation of the principle occurs on p.160 of his 2010,

name suggests, the relative priority view differs from the absolute view in terms of how it understands 'being badly off'. Relative prioritarians believe, until it has been proven otherwise, that it does not make much sense to talk about an absolute measure of welfare. [508] Instead the idea is to assign weights to each person's welfare in the distribution, where these weights are determined by the rank order position when all welfare levels are arranged in a descending order. Weights increase as one moves down the order, thus the greatest weight is assigned to those who are relatively worst off. As we saw, the relative priority view would avoid levelling down and it would favour reducing inequality. Relative prioritarianism would favour reducing inequality, however, only in a certain way, and only under certain conditions, and not because there is any intrinsic disvalue to inequality. Rather, given a fixed sum of welfare, it would recommend a more equal distribution over a less equal one, because the more equal distribution would have a higher sum total of weighted utility. Because it is unable to register the fact that it is bad that some are better off than others through no fault or choice of their own, and that levelling down would undeniably reduce inequality, the relative priority view cannot be considered a plausible egalitarian view. Egalitarians should reject this view. Egalitarians want to bring to an end relations of comparative unfairness between persons, they do not want to simply benefit people, or, by implication, to make the worse off as well off as possible. I argue, however, that while the relative priority view is not a plausible version of egalitarianism, it is a plausible version of Rawls's maximin principle. Finally I stress that egalitarians should endorse levelling down as an implication of their view, but since all egalitarians are committed to the view that equality is not all that matters, levelling down is quite capable of being outweighed by other moral concerns and thus we need not hold that it would make an outcome all things considered better. Those who are committed to RS, on the other hand, are committed to an implausible monistic view about

[508] Hirose 2015, pp.101-102

value. RS says that welfare is *all* that matters. I conclude with an argument that shows this view to be implausible. It would mean that all the various non-welfarist goods would have to be excluded from the moral universe. But since there *are* goods whose value does not reduce to how they affect sentient creatures, for better or for worse, and, unless one is, in Fred Feldman's words, a fanatic about welfare, one must believe that there is a least one impersonal good that has independent non-instrumental normative significance. If we believe that is at least one such good, we must give up or restrict the scope of RS. We concluded with the following thought: Suppose that there are two separate heavens, in H1 Pol Pot is at welfare level (1000) while in H2 Stalin is at (10). Further suppose that because both deserve to be at (2), Pol Pot and Stalin are doing better than they deserve. According to proportional justice it would make things, in one respect better, if Pol Pot was reduced to (10) since Pol Pot would be closer to getting what he deserves, and it would be best if they were both at (2). Those wedded to RS would, however, not only claim that H1 is better than H2 but there is *no* respect in which it could be worse. Those who endorse the relative priority view would say that if a benefit became available it would make things better all things considered to give it to the comparatively worse off person, we should give it to Stalin. Those who endorse the absolute priority view would say that if a benefit became available it would make better all things if we gave it to the person who is absolutely worse off, again, Stalin. It would not be in *any* respect good to simply chuck that benefit away. And it would not be in any respect good to lower Pol Pot to (10). I believe most people would find their credulity strained by these claims. This must be because we believe that something other than welfare or, more generally, person-affecting value, has normative significance. And this contradicts RS. We must therefore reject RS.

Chapter 2

In Chapter 2, I began by pointing out that the rejection or restriction of RS did not, of course, show that equality had positive value. All we were entitled to conclude from the previous Chapter 1, if our arguments went through, was that levelling down was no objection to egalitarianism. I then said that the purpose of introducing the levelling down objection was in order to show that from it, another problem emerges for egalitarians. That is, I wanted to show that while it is true that equality is a non welfarist value, it is clearly not a non-welfarist value in the sense that beauty, or truth, or perfection are non-welfarist values. And this is because equality is a relation between persons, it is not a *property* of anything. However, if value supervenes on properties, then since equality is a relation and a relation is not a property, how then, does (in)equality itself have (dis)value? Thus the problem which confronted us in Chapter 2 was to try to explain how a relation might have value over and above the value of its relata. This problem, as I argue, is not exclusive to egalitarianism. Take for example, freedom. If as many writers believe, freedom is best understood, as three-place relation between, an agent, an agent imposed constraint, and, the doing of something X,[509] does the value of freedom reduce at least in part to the value of 'being able to do X'? I offer a way of answering this question by considering some of W.D Ross's arguments in *Foundations of Ethics*. In Ross's work, he argues, not only for pluralism about value but for pluralism about kinds of value. Ross is committed, on the one had to what he calls personal value, or personal goods, and on the other to "situational goods."[510] What then are "situational goods"? We saw that when Ross talks about the value of justice he often claims that it is "a separate good" or "a different kind of good" from "personal goods".[511] I think the same is true for equality as comparative fairness. But what does Ross mean by "different kind of good"? In the *Right and The Good*, Ross maintains that we have reasons of beneficence to

[509] Felix Oppenheim 1961, Ian Carter 1999, Kristjan Kristjánsson , 1996
[510] Ross 1939, p.286
[511] Ross 2002, p.138

promote what he refers to as the "generally recognized *personal* goods, either in the way of good moral or intellectual activities or in the way of pleasure." And in this work he maintains that both the duty of justice and the duty of benefice can be subsumed under the general duty to promote as much good as possible.[512] However, in *Foundations of Ethics*, he amends his view. He argues in his later work that a duty of justice should not subsumed under the category of a general duty to promote the good because a duty of justice is not a duty to promote "generally recognized personal goods"[513] which the general duty to promote the good requires us to promote. He puts this thought in the following passage:

> One of the great puzzles of ethical theory lies in the sense we have of obligations to do certain thinks which do not seem likely to bring into being the greatest possible amount of any of the generally recognized *personal* goods…we feel an obligation to do justice as between different people, even when we do not think that the sum of goods either moral or intellectual or hedonistic will be increased thereby.[514]

Some writers, however, believe that only deontic concepts such as reasons and obligations, can be relational and thus polyadic, while goodness or value is a simple monadic property of things. Hence if Ross is claiming that goodness is a relation, he collapses this distinction.[515] I suggested that this response seems arbitrary and question begging, firstly it presupposes the truth of the argument attributed to Moore that intrinsic value supervenes *exclusively* on intrinsic properties, which implies that that the only intrinsic properties can contribute to overall value. Yet, as I say - due originally to Korsgaard – it is true that something can have final value without its having intrinsic value. And if final value can supervene on relational properties then, since relational properties are themselves dependent on relations and properties, then relations, since more fundamental, can have value. Ross believes that a just

[512] Ross 2002, p27
[513] Ross, 1939, p.285
[514] Ross, 1939, ibid.
[515] Jonathan Dancy 2005,

state of affairs "is a *good*"[516] nevertheless he does not think that justice is part of a theory of the right, and he says that its being good just means that it is a "worthy object of interest". He adds that a just state of affairs is worthy of interest, "over and above the good which consists in the meritorious character or its activities, and that which consists in…happiness".[517] So for Ross, justice cannot be a *personal* good, because, as he explains, it is not a good which is "resident in individuals"[518] by which he means that justice is not a monadic property of things. Ross recognizes that justice is instead a value which holds in "relations between individuals."[519] He is arguing here that a theory of value must recognize justice as a 'different kind of good', or "good in different senses"[520] which, after Nicoli Hartmann he calls a "situational good", or, "state-of-affairs-value".[521] I then draw a lesson from Ross that, when we talk about the value of equality or the disvalue of inequality, or more generally, when we talk about how people fare relative to one another we are talking about a state of affairs in which certain kinds of relations between people obtain. And so inequality like freedom, desert, knowledge, truth, respect and recognition, refers to a relation holding *between persons*. All of these goods are 'situational' in Ross's sense. I then give the following argument in order to show that, the equality relation need not reduce to the value of its relata. As I say, this should show that - if not that equality relation has positive value - it does have value independent of welfare. I distinguished between properties and relations. When we say that A is square, or A is metal, then we are saying that there is a property 'being square' or 'being made from metal' that A possesses. Hence if A possesses the property of 'being made out of metal' intrinsically, then we say that this property is monadic. All intrinsic properties are monadic. Monadic properties are one-place properties, they can be possessed by things

[516] Ross 1939, 289
[517] Ross 1939, ibid
[518] Ross
[519] Ross 1939, 286
[520] Ross 1939, 288
[521] Ross 1939, 286, n1.

individually. But not all monadic properties are intrinsic. For example, the property 'being a man' is essentially monadic, but the property 'being a father' seems to be essentially relational. A person x is a father, just in case, x is a man, and there is another person y, such that y is the progeny of x. One cannot determine whether x is a father just by studying x alone; one has to take into account the relations which x has to at least one other person, e.g., y. But even if the property of 'being a father' is essentially relational it can be designated by a monadic predicate; 'is a father'.[522] However relational properties are not fundamental since they are entirely reducible to relations and properties.[523] When we say that London is to the west of Bristol or that, A is more massive than B, then we are saying that there is a certain kind of relation which holds between London and Bristol, and between A and B, i.e. the relation 'being to the east of' and the relation 'being more massive than'. Now we need to consider the crucial distinction between internal and external relations. According to David Armstrong and David Lewis[524] an internal relation such as being 'taller than', is one which supervenes on the intrinsic properties of the relata. That is, if the relata exist then the relation holds between them internally, if and only if the relata have the properties they do intrinsically. I then consider the comparative 'taller than' relation of height. Suppose that John is 5'10" and James is 5'11", consequently it is true that 'James is taller than John', and that 'John is shorter than James'. Some writers argue that each of these facts are made true just in case John has the height that he actually has and James has the height he actually has; hence it is not possible for James and John to have the heights they actually do and for James to fail to be taller than John. I say that it seems natural to say that James' being taller than John is nothing beyond their individual heights. Supposing that things have their heights intrinsically, then the taller than relation is internal. Thus, as David Armstrong writes,

[522] Niiniluoto 1987, p.457.
[523] Armstrong 1997, pp.91-93
[524] Armstrong 1989, p.43; Lewis 1986, 62

internal relations are "an ontological free lunch." [525] They are "not something extra"[526] they "are not an addition to the world's furniture"[527] they "are not the sort of relations we should be focussing on in ontology."[528] Internal relations therefore reduce entirely to the monadic properties of the relata. I then state - originally due to Bertrand Russell - that not all relations are internal. Some relations are 'external'. Where, as Armstrong writes, external relations, unlike internal relations, are an addition to the world's being. One example of an external relation is the spatio-temporal relation 'being to the west of'. You could know all the monadic facts about London and all the monadic facts about Bristol, and all the monadic conjunctive facts about London *and* Bristol without knowing that London is west of Bristol. God could create each city, filling each with the requisite number of persons, cafes, etc. until every monadic fact concerning London and Bristol was made true, and he would still not have brought it about that London is south of Bristol.[529] We assert that Bertrand Russell is a famous anti-reductionist about relations, and ask if he can could teach us anything about the inequality relation. Suppose that Andy stands in a relation of inequality to Betty. Inequality like the 'taller than' is an asymmetric comparative relation. Suppose that Andy is at (10) and Betty is at (20) units of welfare. It would seem that because of the intrinsic nature of the numbers '10' and '20', Andy and Betty of necessity, stand in this relation. I say that a relation will be internal iff, necessarily, given the relata a and b, then aRb. So because 20 is necessarily greater than 10, it seems that there was no way that 20 could fail to be less than 10, thus Andy and Betty stand in the relation of inequality they do, simply because of Andy's having the amount of welfare he does and Betty's having that amount of welfare she does. Hence it seemed as if we could finally reduce the relational to the non-relational, intrinsic properties, of Andy and Betty respectively. Such that, 'Andy is better off than Betty' is made

[525] Armstrong 1989, 56.
[526] Armstrong 1989, Ibid
[527] Armstrong 1997, 87
[528] Armstrong 1997, 92
[529] Armstrong Ibid

true by the intrinsic properties of Andy and Betty, and there is no irreducibly relational state of Andy and Betty. Or, what amounts to the same thing, the relation between Andy and Betty is nothing *real* over and above the monadic non-relational properties of Andy and Betty. We then saw that Russell[530] argued against the reducibility of asymmetric transitive relations. He points out that in order to perform the reduction, we must posit a relation between the magnitude of Andy's welfare and the magnitude of Betty's welfare.[531] And as Russell pointed out: "Quantities are not properly greater or less, for the relations of greater and less hold between their magnitudes, which are distinct from the quantities."[532] Hence, "better off than" can be reduced to the more fundamental 'greater than'. In our case, the fact that 20 is 10 units greater than 10, is a further asymmetric transitive relation.[533] Finally, Russell argues that the 'greater than' relation between magnitudes cannot be treated in the same way as the 'better off than' relation between Andy and Betty, because there are no intrinsic properties of magnitudes in virtue of which they stand in the relations they do. Thus we have an external relation. I conclude by arguing that the case for inequality as an external relation is further strengthened when we consider the other crucial egalitarian relation - apart from 'greater than', 'less than', and 'equal to' relation – namely the 'x units of welfare away from' relation, where all spatio-temporal relations are external. Finally, if these arguments go through, we can show that the inequality relation does not reduce to its relata, so we have good grounds to believe that a Rossian situational goods framework for thinking of values such as desert, equality and freedom, is indeed plausible.

Chapter 3

[530] Bertrand Russell 2009, ch. 26, see especially pp. 221-225
[531] Russell, 2009, p. 159. Russell's definition of a magnitude is in part defined in distinction from a quantity, where a magnitude is "anything which is greater or less than something else" whereas "[a]n actual footrule is a quantity: its length is a magnitude. Magnitudes are more abstract than quantities: when two quantities are equal, they have the same magnitude."
[532] Russell 2009,p.165
[533] David Yates 2016, pp. 138-156

In Chapter 3, we moved on to our second major aim, that was to show how and why culture and the arts matter. Through a close reading of Kant's arguments in the *Critique of the Power of Judgment*, I show that for Kant, culture and the arts were important to the development of rationality. I argue that Kant believes that our natural dispositions for the use of practical reason are optimally suited to the goal of giving ourselves, and our existence a purpose. This is the basic claim on which his theory regarding the value of culture and the arts rests. I show that Kant defines culture as "the formal, subjective condition, namely the aptitude for setting himself ends at all" and from this passage I declare that Kant takes culture to be intrinsically connected with the use of practical reason. Now, Kant decomposes 'practical reason' into the "technical" and the "pragmatic". Where he says that the former use of reason pertains to a capacity to manipulate things as means to ends (skill, art, and deliberative ability), the latter 'pragmatic' use of reason is a higher-order capacity, enabling us to compare the ends we set and organize them into a system. Culture, then, according to Kant, is connected to these two types of reason. However, as I also demonstrate, Kant argues that it is through culture - that is, by engaging in the pursuit of increasingly complex artistic, educational, political and scientific achievements - we *further develop* our use of practical reason. And this last claim is crucial to understanding the value of culture and the arts. Yet, Kant, then, wants to argue that this *rational* development is in some further way connected to *moral* development. In order to explain this idea, I reveal that Kant claimed firstly, that the development of culture allows human beings to move further away from their non-rational nature, that is from everything Kant thinks is less than essential to human being. As he puts it, "the capacity to set oneself an end—any end whatsoever—is what characterizes humanity (as distinguished from animality)."[534] The question I therefore ask was about the status of Kant's further claim that culture is required "in order to prepare [humankind] for what he must himself do in order to

[534] Kant 'The Metaphysics of Morals' 2000, p.522

be a final end."[535] If by the term 'final end', Kant means the achievement of moral personhood, how then does Kant conceive of the relation between culture and the arts and morality? I look at three arguments from the secondary literature. First, we saw that Robert Louden,[536]one of the key commentators on this issue, offers a thesis in which Kant takes culture to be a 'propaedeutic' to morality. That is, engaging in culture and the arts is a preparatory step which one must take in order that one can be good. I cann this the 'strong' thesis. In turn I ask whether culture and the arts, might then be plausibly conceived in terms of necessary and sufficient conditions for moral development. That is, as Louden stresses, despite there being no guarantee that people who have been exposed to these preparatory steps will actually be morally good, human beings who lack all contact with culture cannot possibly be morally good. I argue that this is the wrong way to establish the importance of culture and the arts. It cannot be correct to say of someone who has not been exposed to the arts, that she thereby lacks the capacity to be moral. No one could endorse such a view. Fortunately we found this could not be Kant's considered view. I then canvass a weaker thesis, which I attribute to another of Louden's arguments. This thesis, while still requiring engagement with culture as a preparatory step towards a moral development does not claim that these steps are *sufficient* in order for an individual to actually be morally good. Thus the weaker thesis allows for the possibility for us to be good without being exposed to culture. I then show that both the strong and the weaker theses were rejected by Alix Cohen. Cohen argues, contra Louden, that Kant conceives of the relation between culture and the arts in terms of the development of the preconditions for moral *agency*, and not, in way, in terms of moral progress or improvement. Cohen's argument however implies that there is only very weak relation between culture and morality, which is established simply in the use of practical reason. While I find much to agree with in Cohen's paper, I argue that the textual

[535] Kant 'Critique of the Power of Judgement', 2000, p298
[536] Robert Louden 2002 pp42-59

evidence suggests that Kant does indeed argue for a direct relation between culture and morality. Finally I claim that Kant argues that the arts and culture are important to the development of the '*complete'* use of reason. In order to understand this claim, we need to understand Kant as a perfectionist. He is, after all, not simply offering up the argument that engagement in and with culture and the arts implies the *use* of practical reason, but rather that though culture we *further* develop our use of reason, up to and including the conditions for moral reason. Kant is clear in his claim that reason itself does not "operate instinctively, but rather needs attempts, practice and instruction in order gradually to progress from one stage of insight to another." [537] Thus, I state that Kant establishes two-part claim about the value of culture and the arts. First, that engaging with culture creates the conditions for moral agency through the use and the development of practical reason, as we saw in the 'weaker' thesis, since moral reason is itself a species of practical reason. Hence Kant argues that the development of the latter *must* entail the development of the former. Secondly, he argues that if we each share in the cultural development of our society, seeing our fellows flourishing, gives us the "thought of and thus motivation for moral improvement", which is to say that the ability to conceive of culture as progressing towards the good, enables us to strengthen our moral dispositions.

Chapter 4

Chapter 4 then takes us to a more pessimistic view about culture. Here we presented some of the arguments given by Jean-Jacques Rousseau in his *First Discourse on the Arts and Sciences,* concerning the relation between culture and the arts and vice, or, corruption, where corruption is for Rousseau an effect of unjust inequality. I assert that Rousseau holds a view on equality, similar to our view. Where we hold a view of equality as comparative *fairness*, Rousseau holds a view about equality as comparative *justice* or desert. For Rousseau, virtue

[537] Kant, 2008 p109

is the proper base of desert. And he holds a common good conception of virtue. Corruption for Rousseau is therefore an effect of comparative injustice. In the *First Discourse on the Arts and Sciences* he rails against: "The disastrous inequality introduced among men by the distinction of talents and the debasement of virtue."[538] Rousseau believes that it is objectionable that some should fare better than others on the basis of their possessing superior talents and abilities, including artistic or cultural abilities. He believes that such abilities are the product of luck. As he puts it; "we are born with our talents, only our virtues belong to us."[539] Hence he condemns as unjust, a situation where the less virtuous fare better than the more virtuous. Reviewing Rousseau's sometimes hyperbolic, sometimes ingenious, arguments was, I argue, important to our understanding of the costs of inequality which must be weighed against reasons in favour of the promotion of cultural and artistic excellence. Rousseau identifies the arts as being the privilege of those who are fortunate enough to possess a certain amount of education, and a comparatively greater amount of leisure time, than others. So the arts may be understood as themselves possible, only given certain inequalities in class, education and work. Furthermore, he argues that the arts are both caused by and further effect, the inflammation of *amour proper:* the desire to gain advantage over others. On his view artists and their patrons compete ceaselessly with one another in pursuit of ever greater social esteem and wealth. So the arts in being caused by and in giving further effect to *amour propre*, are themselves corrupting, and are themselves indicative of corruption. Rousseau argues that, based on observations as to the degree in which the arts are widespread and flourishing in a society, we may infer how far that society is moving towards the "last degree" of inequality and so corruption. In our reading of the *First Discourse*, we saw that Rousseau claims that a choice to pursue the arts entails a choice of a life of

[538] Jean Jacques Rousseau The Discourse on the Arts and Sciences. in *The Discourses and Other Early Political Writings*, ed. Victor Gourevitch. Cambridge: Cambridge University Press, 1997. p.23.
[539] Jean Jacques Rousseau Preface to Narcissus in *The Discourses and Other Early Political Writings*, ed. Victor Gourevitch. Cambridge: Cambridge University Press, 1997. p.98.

contemplation, or, perfection, over a life of virtue. We saw how Aristotle had argued that *Sophia* is what is best in us[540] and that a life of contemplation suitably directed towards philosophical and artistic pursuits is therefore the highest form of happiness. To be sure, Aristotle says that a life conducive with *Sophia* is distinct from that of a life merely lived "in accord with all the other virtues the activities of which are human."[541] Rousseau, on the other hand views the preoccupation with the arts and philosophy and thereby *Sophia* as antonymic to a life lived according to virtue. This was due to Rousseau's commitment to the ancient Republican idea of the *vita activa*, the cultivation of the qualities associated with the active as opposed to the contemplative life, where the active life was itself understood to be centred on public *negotium* (or, public business) and where each of the virtues is itself connected and interwoven with the supreme ethical imperative of seeking the common advantage (*utilitas*).[542] In contrast to Aristotle, we saw that Cicero argues that practical knowledge is, not only superior to intellectual knowledge, but that if it is to be virtuous, it must be subordinated to social duty (*officiium*), since must be rendered serviceable to the whole community for the common advantage. Hence, Cicero argues that the learned must "apply their own practical wisdom and insight to the service of humanity."[543] The desire for knowledge, purely in the service of one's own intellectual perfection, since it is incompatible with the common good, is a pursuit that cannot be virtuous or *honestum*.[544] Like the Ancient Republican writers, Rousseau's conception of virtue is an active and *other*-regarding concept, it is to be exercised through ones contributions to the common good, and it is therefore distinct from the passive and *self*-regarding concept of the *vita contemplative* and perfection. As he writes in a letter to a young follower, "The first bit of advice I should like to give you

[540] Aristotle, 2004, ix 8.
[541] Aristotle, 2004, 1178a9-10
[542] Cicero*De. Offiic* Bk 1.
[543] Cicero*De. Offic*. 1.44.156
[544] Cicero,*De offic. I. 19 & I. 69-7I*

is not to indulge in the taste […] for the contemplative life and which is only an indolence of the spirit reprehensible at every age and especially at yours. Man is not made to meditate but to act."[545] Hence, as I elaborate Rousseau's central argument is that the arts encourage a withdrawal from *negotium,* and thus encourage one away from the common good. Not only does Rousseau claim that the arts conflict with the life of virtue, I also reveal that he condemns artists for cultivating an indifferent attitude towards injustice and vice. As I state, Rousseau singles out for particular criticism the idea that cultural progress assists in refining the human character. He argues that widespread support for culture and the arts can lead us to adopt the wrong attitudes and dispositions towards the vicious. Indeed he suggests that cultural sensitivity and an aesthetic sensibility implies an indifference to good and evil.[546] As I also point out, Rousseau was here attacking a view attributed to Jean-François Melon, Montesquieu, Voltaire, Hume and indeed a majority of the leading intellectuals of the time, that by developing and supporting cultural institutions individuals and societies would become more *doux*; peace-loving, soft, and/or sweet.[547] Thus, Rousseau argues that a choice to support, or to pursue a cultural life is incompatible with virtue, and that virtue is understood in terms of vita activa; the pursuit of the common advantage. He writes in no uncertain terms, not to do good is an evil and every useless citizen who does not strive to act for the common good, is a pernicious man. And he claims that the moral indifference actively encouraged by the philosophers and the artists in their promotion of gentleness is itself barbarous, and its barbarousness lies in encouraging a 'sweet' or 'pleasant' indifference to unjust inequality.

Chapter 5.

[545] Rousseau quoted in Irving Babbit *Rousseau and Romanticism,* Houghton Millfin 1919, p.349
[546] Rousseau 'Last Reply',1997, ibid
[547] See Mendham 2010.

Finally, in Chapter 5, I take forward some of Rousseau's arguments along with the lessons from Chapters 1-2, to try to answer the question of whether there are egalitarian reasons to support artists. I firstly consider some arguments from perfectionism. As I assert perfectionists would not favour supporting all artists. I show that perfectionism holds that the basic components of value are certain, suitably externalized dispositional states of persons: namely, justified true beliefs and successfully pursued ends, or, knowledge and achievement. Having justified true beliefs exercises or develops the essential human capacity for theoretical reason, and successfully achieving a goal exercises or develops the essential capacity for theoretical reason. All justified true beliefs, and all successfully pursued ends contribute to the value of a life, and because all lives contain some amount of beliefs and achievements, all lives have some perfectionist value. But I also assert that perfectionists hold that some beliefs are better to know and some goals better to achieve than others, where one belief p will be better than another belief q, if and only if, knowing p entails a greater exercise of rationality than knowing q. The same holds for achievements. I argue that on the perfectionist continuum of value, as quality increases along with the difficulty and complexity of achievements, so the numbers of lives in which these higher achievements figure will get less and less. I declare that this is a plausible assumption on grounds that there are differences in talents and abilities, and that most people will not reach these highest heights. We then refer to Thomas Hurka's example of a higher achievement of practical perfection, 'a large scale political reform', and his example of a lower achievement of practical perfection 'the tying of a shoelace' If perfections differ only in degree and not in kind, then perfectionists must admit that shoelace tying has some degree of perfectionist value. But this now creates a problem. For, given booth continuity and aggregation, both of which perfectionists accept, there must be some amount of 'shoelace tyings' that would outweigh the value of 'a large scale political reform'. I suggest that perfectionists would be committed to the view that we would do most

good by developing *everyone's* capacities, rather than maximally developing the same capacities of a minority. But it would seem to follow from this, *ceteris paribus*, that the best outcome would be the one in which we would bring about the lowest acceptable level of excellence for the greatest number of people. This is what I referred to as the 'Minimax Implication.'[548] For example, suppose that one unit of higher excellence, say a scientific breakthrough or great act of political reform, can be outweighed by ten units of slightly lower excellence say, a masterpiece of poetry and in turn one unit of poetry can be outweighed by ten units of an even lower excellence say pop music, then, by transitivity, one unit of science, can be outweighed by one hundred units of pop music. If gradual each step down in quality is accompanied by an increase in the number of lives capable of achieving that level, then the best outcome will be the one where we bring about the lowest level of excellence for the greatest number of people. I then argue that perfectionist's should object to the Minimax implication, and that they should not endorse a sacrifice quantity for quality. But as I demonstrate, alternative views entail aiding the most talented over the less talented. I then consider some empirical data on artists' incomes and earning functions. I show that artists in general tend to come from relatively high income households, secondly that they tend to be more advantaged than other workers in terms of levels of education and skills. Their level of education allows them a better set of occupational choices than many workers in other sectors. And finally they are in general worse off than their comparison class of professional and managerial (i.e middle class) workers. I then construct four 'case studies' utilizing these findings to ask whether they support egalitarian reasons to aid struggling artists. I reveal that in the main there were probably no egalitarian reasons to assist artists. For example in case where an individual chooses to pursue a career option in the arts that leaves her worse off than others when she could have chosen otherwise, there are no egalitarian

[548] Alan Carter, 2005

reasons to compensate for her decision to pursue that option. Thus, in such cases I argue, there is no egalitarian complaint that an artist ends up worse off than others. However I say that things get more complex when we consider intra-arts inequalities, and drawing on empirical data, I show that success in the arts is largely down to luck. I argue that if two people make similar choices to pursue a career in the arts and one ends up much better off than the other, simply due to good luck, then this is objectionable because unfair. And there *would* be a complaint regarding the inequality involved.

Let me now finish with the following thoughts. Equality and perfectionism are two contested values, they are contested in principle, by those committed to value monism. Thouse who maintain that only welfare matters, neither equality nor perfection will be part of the moral universe. I hope to at least have cast some doubt on the plausiblity of this sort of view. However, while i do believe that perfection matters, as an egalitarian I have deep reservations regarding this ideal. I believe the most plausible version of perfectionism would almost certainly want to oppose, at least in some instances, trade-off's between quantity and quality as undesirable. As I put the point above, I think it would strech our intuitions regarding 'perfection' to judge that a world in which there is some amount of shoelace tyings is a better world than one whcih contains the achievement's of Achillies. As Thomas Hurka puts the point; however hard it is to accept a sacrifice of quality for quantity with pleasure or desire-fulfillment, it is even harder to accept with respect to the goods of excellence, such as knowledge and achievement.549 As I also said, it is not plausible for a doctrine which purports to be concerned with what is most excellence or perfect, to be understood in terms satisficing, or other such views which aim at less than what is most excellent. To paraphrase Thomas Hurka's earlier comment, perfectionism does not say, 'become reasonably excellent', or, 'be sufficiently perfect', rather it says that one ought to pursue the

[549] Hurka, 1993, p.72

development of his or her talents and abilities to the maximum levels possible. We saw this with the example of T.S Eliot. If Eliot had chosen to go back to America instead of staying on in the U.K to write poetry, he would have developed to a satisfactory degree by teaching philosophy, but perfectionists would want to say that this choice would have been wrong. The choice to go back to America and teach philosophy would have resulted in a waste of Eliot's finest talents. I also said that, it is very difficult to see how the perfectionist can reconcile a desire to avoid scenarios like 'shoelace tying for Achilles', with her commitment to continuity in value. If excellences differ only in degree and not in kind, then the perfectionist must accept the idea that should the numbers stack-up, then some amount of very low quality achievements must eventually outweigh achievements of the highest quality. This is compounded by the idea that perfectionists seek to identify the higher excellences by their difficulty and complexity. As we argued, this would almost guarantee that achievements higher up the continuum of perfectionist value will be attainable by smaller and smaller numbers of people. One way the perfectionist could avoid the above result would be if she were to reject continuity. The perfectionist might therefore assign lexical priority to developing the capacities of the most talented individuals. On this view we would seek to develop the talents and abilities of the most capable, and, when we have reached a point at which nothing more can be done for them, we would then seek to develop the abilities of the second most excellent up to the point at which nothing more can be done for them, and so on all the way down to the least excellent. However, while assigning discontinuously greater value to the development of the more excellent would rule out quality-quantity trade-offs, it would imply that small gains to the most excellent outweigh any gain for the least excellent, and the result would be an elitism which would be unpalatable to many. Perfectionism as Kant, Nagel and Rousseau have taught us, is at fundamental level concerned largely with the results of indiviudal's genetic endowments. Perfeciton or excellence is a value which is after

all eluicidated enirely in terms of the importance of the development of the 'essential', or natrual capacities. So when Rousseau puts to us the rhetorical question: 'What did Racine do not to be Pradon? What did Boileau do in order not to be Cotin?'' He thereby expresses the view that artists are differentially "esteemed" and "rewarded" for achievements which are largely due to factors beyond their control. He believes that it is objectionable that artists should fare better than others merely becasue of their posessing greater capacities. As he writes "we are born with our talents, only our virtues belong to us."550 If the achivment of the various excellences is, to a great extent detemined by fortunate genetic endowments and if the posession of these endowments makes us no more or less deserving than others, how can it be fair that the more talented fare so much better than the less talented. Rousseau condemns the view which Nagel and Kant begrudgingly endorse. That is, if we want culture and the arts to flourish because we think that the world is made better when rationality is developed to its maximum limits, then this would almost certainly require inequalies of a significant kind. Rousseau not only demonstrates that this such inequalites are 'disasterous' and bad, becasue they are unfair or unjust, but he wants to further show that inequalities that are the result of the distinction in talents themselves are the cause of a futher litany of ills. If a nascent egalitarianism is contained in Rousseau's remarks about the arts, then modern egalitariansim is in an important sense born out of an objection to perfectionism.

[550] Rousseau 1997. p.98.

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